that the figure of around $3 billion discussed is not entirely right, because through such devices as Public Law 480, $2 billion of agricultural products should actually be added to any figure that is passed.

In addition, the United States has committed, or plans to commit, for use in foreign countries, hundreds of millions of dollars of the American taxpayers' money through various international financial agencies, a matter already discussed at some length on the floor because these latter commitments do not contain certain restrictions included in the foreign aid bill itself.

As one gets further into the subject of AID, it appears that almost anywhere one turns in Government, there is further utilization of some piece of legislation, or Executive order, or international agreement, to give, or loan, more money and/or materials to other countries—often the terms of said loans are such as to force one to conclude that the net result is actually a gift.

The Senate cleared up many of the problems contained in the proposed foreign aid authorization bill.

In conference with the House, however, many of these improvements the Senate placed in the bill were subsequently deleted by the conferees.

I ask unanimous consent that a report made up by the staff of the Foreign Relations Committee, showing the provisions of the Senate bill later deleted in conference, be inserted at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
December 16, 1963.

Memorandum
To: Senator SYMINGTON
From: Pat M. Holt.

Set forth below is a summary of the provisions of the Senate passed bill which were deleted by the Senate-House conferees.

1. The Dominick amendment to section 203 to require that the reuse of all receipts from development loans be subject to annual appropriations.

2. The Lausche amendment adding a new section 211 to the act to require that no technical assistance program be undertaken unless, prior to the commencement thereof, the recipient country agrees to "accept the responsibility for the continuation and financing of such program after the expiration of a reasonable time, not to exceed 7 years, unless the program is scheduled for completion within such time."

3. Section 221(b)(2) prohibits payments under all risk guarantees in cases where the loss is attributable to "fraud or misconduct for which the investor is responsible." The Lausche amendment to add the word "negligence" to "fraud or misconduct" was dropped by the conferees.

4. Ellender amendment requiring redemption of Treasury notes issued under Economic Cooperation Act or reserves for investment guarantee program.

5. The Dominick amendment to require that the reuse of all receipts from Alliance for Progress loans be subject to annual appropriation.

6. The Morse amendment prohibiting assistance to any Latin American government which "has come to power through the forcible overthrow of a prior government which has been chosen in free and democratic elections."

7. Mansfield-Dirksen amendment to section 611(a), relating to completion of plans and cost estimates, requiring in any case where the estimate of cost of a project exceeded $500,000, that the feasibility of the project and the cost estimates be approved by the Corps of Engineers, Department of the Army, or by a reputable U.S. private firm of engineers.

8. The Proxmire amendment to take away President's special discretionary authority to furnish aid to Yugoslavia.

9. The Lausche amendment to take away President's special discretionary authority to furnish aid to any Communist country.

10. The Dirksen amendment to prohibit the furnishing of assistance to Yugloslavia unless and until it makes arrangements for the payment of claims of U.S. citizens whose property was nationalized or taken by that government.

11. The Lausche amendment to prohibit assistance for Government-owned enterprises, except where it clearly appears that goods or services of the same general class cannot be provided by private businesses.

12. The Kuchel amendment to prohibit assistance to any country which extends its jurisdiction for fishing purposes over an area of the high seas beyond that recognized by the United States, or imposes any penalty or sanction against a U.S. fishing vessel on account of its fishing activities in such area.

13. Miller amendment limiting U.S. contributions to Food and Agriculture Organization to $5 million a year.

TRIBUTES TO PRESIDENTS KENNEDY AND JOHNSON

Mr. HOLLAND. Mr. President, in the current issue of the Officer, monthly magazine of the Reserve Officers Association of the United States appear two brief editorials which pay tribute to the late President John F. Kennedy and to the Nation's succeeding Commander in Chief, President Lyndon B. Johnson.

There is also an article in the Officer by Col. John T. Carlton, the association's executive director and editor of the magazine, which gives a personal view of both of these great Americans.

Colonel Carlton formerly was the administrative assistant in the Senate of my colleague, the Senator from Florida [Mr. SMATHERS], and is known to many of us. For this reason, as well as for the subject matter of the pieces he has written, I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

IN THE MINUTEMAN HALL OF FAME

In February of 1962, recognizing the place he already had earned in history, our association claimed for John F. Kennedy "A place in the Nation's 'Minuteman Hall of Fame.'"

At that time, just well into his service as President, Mr. Kennedy received ROA's leaders for one of their occasional conferences with the Commander in Chief. He appeared surprised and highly pleased that the occasion also brought to him the handsome plaque which was designed to hang with a select few in a hall which ROA's Minuteman Memorial Building, to be constructed in the Nation's Capital at No. 1 Independence Avenue, will make a reality.

The ROA recognition was to a Lieutenant Kennedy, not to the President, or the Commander in Chief, and it was received by him as such.

ROA claims him and his war record to emphasize and exalt the vital role in national security of the citizen-reservist.

Mr. Kennedy was a young man when World War II opened. In a manner that is typical of the spirit which always has protected America, he volunteered for military service and chose one of the most hazardous roles—with the fragile PT-boats, and the doughty sailors who manned them, in the South Pacific. It was there that young Kennedy almost lost a life and suffered injuries which plagued him for the rest of his life. ROA's national treasurer, himself a Medal of Honor winner, was an instructor of the young officer whose valor was to become a legend.

President Kennedy's leadership of this Nation, and his considerable impact upon history already have been extolled by the most eloquent throughout the world which continues to mourn him. Many in a sorrowing nation, and a sorrowing world, as do we among the Nation's reservists to whom he was a brother officer and an inspiration, have observed, as of Lincoln, "Now he belongs to the ages."

He belongs also to this great Nation's "Minute Man" tradition, which has given to the citizens of the United States of America the clarity of allegiance, the commitment of stout heart, resolute character, and personal resources which insures our way of life for posterity.

THE NEW COMMANDER IN CHIEF

Lyndon Baines Johnson, upon whom tragedy has thrust the awful burden of the Presidency, is a man who, like his predecessor, has answered his country's call in war as in peace. The new President entered the Navy as a Reserve officer at the start of World War II, risking the loss of his seat in Congress to go immediately into uniform. His service was brief because then President Roosevelt ordered all Members of Congress out of the service and back to their duties on Capitol Hill. But in his tour in the Pacific he won the Silver Star. The citation accompanying the medal noted his "marked coolness" under fire.

We suspect that "marked coolness" will be displayed again as he takes on the job of leading the defense of the free world. Probably no President in history has had more experience at the highest national level to fit him for the office. His deep knowledge of Government includes special schooling in defense matters as a former member of the Senate Armed Services Committee, where he chaired the Preparedness Investigating Subcommittee, and served as chairman of the Senate Space Committee and as Senate majority leader. We are sustained by the knowledge that our new President is capable of the burden of his office.

As Americans our hearts go out to him. As officers we salute him and pledge him our faithful support.

IN MEMORIAM: RESERVE OFFICERS ASSOCIATION MOURNS PASSING OF COMMANDER IN CHIEF, HAILS STRENGTH OF SUCCESSOR

The world-shaking events of late November shocked Reserve Officers Association as it did the body of the American people. So much has been written about the cruel death of President John Fitzgerald Kennedy that we hesitate to attempt to add any words to those already burned into the pages of history.

Yet we too sustain a personal loss, and experience personally the impact which has jarred the Nation. We knew "Jack" Kennedy both as an individual and as the President. He was warmhearted, in many ways quite unassuming, and genuinely devoted to friendships he had acquired throughout his life. Those who knew him on Capitol Hill enjoyed his warmth. History will record his

impact on the world, which was considerable; it was most difficult to conceive of anyone directing real hate toward him.

Even in the personal paralysis that many friends experienced, we felt that he would have been the one to be proud that nothing could stop our Nation.

It was Mr. Kennedy who chose Lyndon Johnson as his running mate, and subsequently as his Vice President.

Johnson had been a master in the forensic and legislative arena where both received their seasoning for leadership. In the Senate, he was Kennedy's senior both in years of service and authority. Senator Kennedy looked up to his leadership and history may indeed record that his insistence, at Los Angeles in 1960, upon his running mate may have been his most significant exhibition of leadership.

One incident in the Senate service of Mr. Kennedy I will always remember, because it reflects his deep sense of loyalty and his recognition of the worth of his seniors.

The late Senator Walter F. George, chairman of the Senate Foreign Relations Committee during the Eisenhower administration, was working in the twilight of his career to liberalize the social security system. It was a close issue in the Senate and as Senator George's assistant I was on the floor with him. The venerable chairman worked the cloakroom and the floor diligently, looking for that vote which would put his bill across.

He walked over to Senator Kennedy, who was not favorable to the bill, and put his arm across his shoulder.

"You're going to be with me on this aren't you Jack?" he asked.

Senator Kennedy looked up, and I saw in his eyes a swiftly changing mood. After some hesitation, he said.

"Senator George, I don't think I could vote against you."

The bill carried, as I recall it, by two votes.

Lieutenant Commander Johnson also is a Reserve Officer Association member who pays his own way.

The hallmark of our association is its dedication to our congressional mission. In our membership are men and women of all walks of life who may differ on everything else, but who are brought together in support of adequate national security. That now is President Johnson's foremost concern and responsibility. In his capable hands are many fateful duties, but none transcend that embodied in his cloak as Commander in Chief of the Armed Forces.

With the recent fuss about a phony issue, Lyndon Johnson's record which endears him most to reservists is that during World War II he left his seat in the Congress and went into the Navy, making a fine record. On orders of the Commander in Chief he was brought back to Washington. There in both House and Senate, his personal experience in combat proved of transcendent value to him in various assignments in the Senate Armed Services Committee, including chairmanship of the Senate Preparedness Subcommittee.

President Johnson has experience in this field which probably fits him for his role as Commander in Chief more than any President in recent history.

We in the Reserve Officer Association, too, look to him as our Commander in Chief. While free in a certain sense from his command, we still honor his office and dedicate ourselves to abide by his decisions. We are confident that in advance of major decisions our association will be welcomed in exercise of its right to join in recommendations.

OTTO OTEPKA

Mr. DODD. Mr. President, as my colleagues will recall, I have several times spoken on the floor about the so-called Otepka case.

I took the floor the first time to speak about this matter on November 5, when it was announced that Mr. Otepka had been dismissed on the basis of the charges brought against him. I said on that occasion that Mr. Otepka's dismissal was an affront to Congress and to the right of congressional committees; I stated further that if Otepka could be dismissed for the simple reason that he had given honest testimony before the Senate Subcommittee on Internal Security, then it would become impossible or, at the best, very difficult for any congressional committee in the future to obtain uninhibited testimony from Executive officials and employees.

In the colloquy that followed, there was discussion of the possibility of perjury charges against some of the State Department officials.

On the following day, the Senate Subcommittee on Internal Security received parallel letters from three of the State Department officials—Mr. John F. Reilly, Deputy Assistant Secretary for Security, Mr. David I. Belisle, deputy to Mr. Reilly, and Mr. Elmer Dewey Hill, Director of the Division of Technical Services in the Office of Security—asking to change their testimony. Whereas they had previously sworn that they knew nothing about the installation of a listening device in Mr. Otepka's office, they now confirmed that they had taken part in the installation of such a device or were aware of its installation.

Two of the witnesses, Mr. Reilly and Mr. Belisle, when they were recalled before the committee, stated that none of Mr. Otepka's conversations had been overheard or compromised because of electronic difficulties. The third witness, however, an electronics expert, Elmer Dewey Hill, testified that tape recordings had been made of several conversations, that Mr. Reilly had expressed particular interest in one conversation, and that he had turned the tapes over to an unidentified third party at Mr. Reilly's direction.

The Otepka case goes to the heart of security procedures in the Department of State. It has the greatest significance from the standpoint of relations between the legislative and executive branches. In addition, it has profound elements of personal drama. It is not surprising, therefore, that the press of our country has displayed very great interest from the beginning in the story of the Otepka case.

The Subcommittee on Internal Security has literally thousands of press items, both articles and editorials relating to this case. A few of the editorials support the State Department's position. The overwhelming majority of them, however, are strongly critical of the action that has been taken.

Mr. President, I ask unanimous consent to insert in the RECORD at this point some representative editorials, both pro and con, that have appeared in our national press. I also ask unanimous consent to insert in the RECORD at the conclusion of these editorials the exchange of correspondence between Mr. Otepka and the Department of State.

There being no objection, the editorials and correspondence were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, Oct. 6, 1963]

OTEPKA CASE

The showdown which is shaping up between the State Department and the Senate Judiciary Committee, or rather its Subcommittee on Internal Security, is both necessary and desirable. For the issues are of highest importance.

What is involved here is a seeming collision between the undoubted right of the State Department to maintain proper security procedures within the Department and the equally undeniable right of the Senate (and the public) to know whether sloppy State Department procedures have been endangering national security.

The Department has preferred charges which could lead to the dismissal of Otto F. Otepka, Chief of State's Security Evaluations Division. These charges were developed after such spy-thriller techniques as searching Mr. Otepka's "burn basket," reading the imprint on his carbon paper, deciphering used typewriter ribbons, patching together torn up notes, etc. Furthermore, a Department official has issued an order forbidding employees to appear before the Senate subcommittee without obtaining advance clearance from State. It is also specified in the order that "this includes contact or interviews with any members of the staff of the subcommittee." This covers a lot of territory.

Naturally, the Senators, or at least those immediately involved, are up in arms. And they should be. For the order to the employees and the action against Mr. Otepka could serve to clamp down the lid on information from the State Department to which the Senate, if not the public, should have access. If this is what is being done, every possible pressure should be brought to bear to stop it.

We find it hard to believe, however, that Secretary Rusk would condone any such activity. It runs counter to his nature, and he is too sensible. Nevertheless, it is good that the Senate has called upon him to testify and that he has agreed to do so. The issue comes down to a question of just what Mr. Otepka was doing. The typewriter ribbons, the used carbon paper, and the rest should tell the story.

[From the Washington Post, Nov. 10, 1963]

EXECUTIVE AUTONOMY

For all of Senator DODD's sputtering, he must know that what Otto F. Otepka did was not only unlawful but unconscionable as well. Mr. Otepka certainy knew this himself—which is no doubt why he did it covertly instead of candidly. He gave classified information to someone not authorized to receive it. And he prepared a list of questions to help a Senate subcommittee trip his superior in the State Department. No one can be surprised that the State Department does not want to keep him any longer in a position of trust.

It really does not matter that the recipient of the information he disclosed was an employee of the Senate. He had no authority to give it. If the Senate Internal Security Subcommittee felt a need for clasified material in the State Department, its proper course was to summon the Secretary of State and ask him for it. If any underling in the State Department were free at his own discretion to disclose confidential cables or if any agent of the Federal Bureau of Investigation could leak the contents of secret files whenever he felt like it, the executive

branch of the Government would have no security at all.

Senator EASTLAND, chairman of the subcommittee, has said that "the powers of Congress are at stake" and that he intends "to protect Mr. Otepka by every means at my command." All that the State Department has done is to fire an insubordinate employee. Its power to do so is fixed by the Constitution and was recognized as long ago as the very first Congress. The Congress has power, of course, to fix qualifications for employment in the executive branch and to prescribe procedures for hearing and review in dismissals. It has done so in the civil service acts, and those procedures are being followed in Mr. Otepka's case. Indeed, he can, and may, go to court about the matter.

Without authority to fire subordinates in the executive branch, the President would be powerless to fulfill his constitutional responsibility to "take care that the laws be faithfully executed." Congress no more possesses the power to reinstate Mr. Otepka as an employee of the State Department than the President possesses power to remove Mr. J. G. Sourwine as counsel of the Senate Internal Security Subcommittee.

[From the Washington Post, Nov. 12, 1963]

LYING IN STATE

The Department of State must be a delightful place to work these days. The atmosphere of affectionate camaraderie and warm mutual confidence prevailing there has probably not been matched anywhere since the heyday of the Medicis in Renaissance Italy.

Consider the situation, for instance, in the office of the Deputy Assistant Secretary for Security, Mr. John F. Reilly. Mr. Reilly was going quietly along minding everybody else's business when he discovered that one of his assistants, a Mr. Otto F. Otepka, was telling tales about him to the Senate Internal Security Subcommittee.

How did Mr. Reilly find out about Mr. Otepka? Why by pawing through the contents of Mr. Otepka's "burn basket" of course and by tapping Mr. Otepka's telephone. How else?

Mr. Reilly appears to have been assisted in this snooping by another of Mr. Otepka's colleagues, a Mr. Elmer D. Hill, Chief of the Security Office's Division of Technical Services. When these worthy fellows were asked by members of the Senate Internal Security Subcommittee if they had ever done any prying into Mr. Otepka's private affairs, however, they looked quite scandalized at so offensive an imputation and replied as blandly as you please that they certainly had never done anything of the sort.

But the fact of the matter appears to be, nevertheless, that, although they may momentarily have forgotten about it, they did actually "bug" Mr. Otepka's quarters in that elegant State Department Building; they now acknowledge as much, although they insist that they didn't really hear anything interesting. So, by "mutual consent," they have been ordered to go on leave until the whole affair is looked into.

What kind of State Department has the United States got these days? One supposes that workers in the Foreign Commissariat of the Kremlin look over their shoulders at their associates with a certain amount of apprehension and anxiety. But who would have supposed that Americans in the American Department of State would need to employ official tasters when they venture into the departmental dining room?

This kind of bugging and spying and tattling produces no kind of security at all. It produces nothing but an atmosphere of crippling and suffocating suspicion. Decent men should not be asked and cannot be expected to work in such an atmosphere. The foreign affairs of a free people should not be conducted in so malign and miasmic a climate.

[From the Washington News, Nov. 13, 1963]

DISCORD AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up, he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD, of Connecticut, and EASTLAND, of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by Civil Service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Richmond News Leader, Oct. 22, 1963]

OTEPKA DAY

Tomorrow is Otepka Day. It is the day that Otto Otepka, career State Department security officer, is scheduled to be released from his job. He is getting fired because he thought that full security procedures should be followed in evaluating the cases of such prize State Department errors as Alger Hiss, William Arthur Wieland, and John Stewart Service. Worse yet, he revealed the laxness to Senate investigators.

There are really two Otepka cases. The most recent began last month when Otepka, an old-line security officer responsible for assembling and evaluating personnel security data, was summarily barred from his office by his new chief, Abba Schwartz. Before Otepka's eyes, six security men set about searching his files and changing the locks on his safes. He was assigned to writing a security handbook, and relieved of all his responsibilities.

Otepka was lectured on institutional loyalty. This meant that Otepka had testified freely before the Senate Internal Security Subcommittee, frequently contradicting the testimony of his superiors. He told the Senators in closed session about gross ignoring of the State Department security evaluation procedures under the Kennedy administration. Dean Rusk, for instance, had backdated more than 150 high-level security clearances, using special powers intended for emergencies; the Eisenhower administration had used this power five times. Lower echelon clerks handling classified information were given blanket waivers. At times important positions were filled without any notice passing through the security evaluation office.

Otepka also strenuously objected when Harlan Cleveland, an Assistant Secretary of State, named a panel to study security procedures—and some of the men named, in Otepka's experienced opinion, had personnel records so derogatory that they should have had a full FBI investigation. Cleveland even went so far as to inquire what clearances would be necessary to bring Alger Hiss back into the State Department.

At first Otepka testified with the permission and advice of his superiors. But then his superiors flatly contradicted many of his statements. To vindicate himself of possible charges of perjury, Otepka returned to the committee to name names, without asking his superiors if he would be allowed to prove them wrong. By revealing names and classified information to the subcommittee counsel, Otepka was in technical violation of the rules; the irony of it all was that he was the very person who had classified the information.

But even though the State Department was incredibly lax in its general interpretation of security, it began to put the screws on Otepka. His phone was bugged. The sheets of carbon paper that he used were examined to discover his correspondence. Letters that had been shredded and deposited in a sealed "burn bag" for security waste were painstakingly puzzled out. At last the zealous sleuths found what they needed: a memorandum, pieced together from plastic typewritten ribbons, in which Otepka provided some embarrassing questions for the Senators to ask his superiors.

For institutional disloyalty, the loyal Otepka got the pink slip. This was the second go-round. Once before the Department had tried to get rid of him.

Otepka, in testimony a year and a half ago, revealed that the State Department's handling of William Wieland was particularly lax. From testimony by Wieland and others, the Senate subcommittee concluded that Wieland was responsible for much of the Caribbean policy that led to U.S. support of Castro in the late fifties. Wieland had hard information that Castro was a Communist, yet he suppressed any references to this problem in his policy reports.

From Otepka, it was discovered that Weiland had falsified his application and personal history, and had never been properly cleared. And in fact, no clearance of any sort had been entered into the file until the day after President Kennedy told a press conference that he had personally approved the Wieland case.

Moreover, Otepka himself evaluated Wieland as "not a security risk, but unsuitable," with regard to personal conduct under the rules of the Civil Service Commission. Such a ruling requires a mandatory dismissal, unless it is overruled by the top level. Earlier Otepka had made a similar finding in the case of John Stewart Service. But neither Service nor any other Foreign Service officer has been dismissed outright in the past two decades.

These touchy questions of "suitability" refer to both personal conduct and judgment. The Senators found Wieland's administrative judgment both weak and doubtful. Wieland, although involved in personnel administration, did not know whether

homosexuality was a problem in the State Department, and said that he had never had to deal with the problem in any way. A more experienced State Department officer called this judgment "incredible." And as far as Wieland's personal conduct is concerned, the Senators directed the Justice Department to study conflicts in Wieland's testimony for perjury action. Wieland is still a high-grade State Department officer, and no action has been taken.

A year ago, the State Department tried to get rid of Otepka by reorganizing the security office, and cutting down on the number of employees. Then they tried, without success, to ship him off to study at the War College. Now he is being fired for cooperating with the Senate.

And tomorrow is Otepka Day. It stands as a symbol, not of one man's lost job, but of a fundamental sickness in the State Department. Behind the foreign policy decisions of the United States stand the men of the State Department. Otepka Day is a day for reckoning.

[From the Tulsa (Okla.) World, Sept. 28, 1963]

A HIGHLY SUSPECT FLAP

Surely the Department of State should be able to perform better than it has over the flap that seems to be developing in the case of a departmental security officer, Otto F. Otepka.

Otepka has been handed a State Department letter of charges, which is the forerunner to dismissal unless cause can be shown discharge would be unwarranted.

Strangely, the case involves, in part at least, Otepka's submitting to the Senate Internal Security Subcommittee departmental information that is classified or secret.

Even stranger is the direction from which has come objections to the Department's handling of the Otepka case. From way off Dallas, Tex., Robert Morris, former chief counsel for the subcommittee, said he had been informed Otepka's dismissal is being pushed by reason of his too close cooperation with the subcommittee. Morris insists the committee is entitled to the information.

It is a sensitive situation all around.

If the Morris view is correct, it would appear the State Department has been high-handed in seeking to protect its records from warranted scrutiny by a top congressional group. By the same token, the case seems to furnish further evidence that Washington's bureaucracy has reached a dangerous point of untouchability if Congress, which provides its wherewithal, is refused information on its internal workings.

Certainly the Department may have every bit of evidence it needs to dismiss Mr. Otepka. It is also possible Otepka's projected dismissal is not base solely upon Mr. Morris' understanding of the evidence; yet, this has not been denied.

Otepka has served as security evaluations officer for 10 years. It is obviously one view inside the State Department that, whereas Otepka does have a responsibility for working with congressional security forces, he does not have the authority to divulge specified information or information zealously guarded by the Department.

A missing link in the flap is the absence of congressional interest in the case. At least there has been no Senate subcommittee move publicly to defend Otepka's right to continuance on the job.

Secrecy in public office is repugnant to the American people. If the State Department feels justified in its plans to dismiss its security official, surely it has the responsibility for making that justification apparent. Too much secrecy, as the Department seems to be displaying, is as bad or worse than too much conversation on sensitive national secrets.

We think further enlightenment is called for from all parties in the Otepka case, for the bureaucracy has no more privilege to prosecute in secrecy than do the courts of America—and it has no such privilege.

[From the Perth Amboy (N.J.) News, Nov. 22, 1963]

OTEPKA CASE RAISES SECURITY CONCERN

Congressmen and other officials concerned with the scope of Communist influence in the State Department will keep alive the case of Otto F. Otepka.

It will not be filed quietly in some dark nook at the Department.

The latest of the shocking disclosures in the Otepka case is the clear-cut evidence that high State Department officials were "out to get" the dismissed security officer.

Two high-ranking officials resigned (under presure) recently because they attempted to "bug" Otepka's telephone.

These officials, little more than hatchetmen, conceded that the electronic device they used failed and was removed.

Otepka's "crime" was cooperating with the chief counsel of the Senate Internal Security Subcommittee. (State Department officials call this "leaking" classified information to Congressmen.)

The issue is simple: Does Congress have the right to right to find out what is going on in the State Department and what security risks are being shielded by that agency's entrenched bureaucrats?

It is no oversimplification to say that, over the years, the State Department's policies have been questionable, if not downright suspect.

There have been many questions raised on subversives in the State Department in recent years.

When Otepka, a key security official, informed the Senate investigators of questionable security activities in the Department, he was fired.

It appears that the State Department is more interested in protecting its own incompetence than in rooting out subversives.

The Otepka case must serve as a focal point for justifiable concern over the subversion of national security.

[From the Times, Oct. 19, 1963]

SANITY IN INTERNAL SECURITY

How far the Nation has moved from the excesses of the McCarthy era is reflected in the instructions the Defense Department has issued to the Armed Forces to respect "lawful civil and private rights" of persons questioned in security investigations. Specifically excluded under the new guidelines are inquiries into such matters as whether an individual considers himself a liberal or a conservative or whether he belongs to the National Association for the Advancement of Colored People.

It is, of course, shocking to think that any military security officer would have ever dreamed of asking such questions in the misguided believe that the answers would provide an index of loyalty. Yet even more outrageous invasions of individual conscience were a frequent part of security procedure in the heyday of McCarthyism a decade ago.

The whole tone of the new instructions, sent out last November but not previously brought to public attention, is one of regard for free thought and expression. The American Civil Liberties Union has rightly praised the memorandum as a "significant forward step" in adjusting the Pentagon's security program to fuller observance of constitutional rights. National strength is best protected by the establishment of a sound balance between the need for guarding against subversion and the need for respecting the privacy of individual beliefs.

[From the Monroe (La.) News-Star, Oct. 7, 1963]

GOVERNMENT SECURITY RISKS

Several days ago, the case of Otto Otepka, 48-year-old chief of the evaluation division in the State Department's office of security made secondary news. Accounts said Otepka had passed along confidential State Department information to a Senate subcommittee and had been given 10 days to explain why to the Department's satisfaction or lose his post.

What sort of cat was Otepka about to let out of the bag? This is the question many observers asked. But news stories were sketchy.

The story is of particular interest in this part of the country because the Senate Internal Security Subcommittee works under the Senate Judiciary Committee headed by Mississippi's Senator JAMES O. EASTLAND.

Another personality involved indirectly is former State Department Adviser Alger Hiss. In digging into the information furnished by Otepka, who has cooperated in the past with congressional committees with State Department approval, the Senate probers have uncovered an effort within the State Department to clear the way for a number of former security risks—including Hiss—to make their way back to the payroll.

According to information secured by Columnists Robert S. Allen and Paul Scott, sworn testimony before the subcommittee revealed that one of the central figures in this maneuvering is Harlan Cleveland, Assistant Secretary of State for International Affairs.

Cleveland touched off a row within the Department by appointing several persons with questionable security backgrounds to an advisory committee to study the staffing of Americans in international organizations.

This same testimony said Cleveland inquired as to the possibility of bringing Alger Hiss back into the Department.

Hiss, who served as a State Department adviser during the Yalta Conference, was convicted of perjury during the Truman administration. He denied before a Federal grand jury he had served as a relayman for passing official documents to a Soviet agent. The documents were produced and Hiss was convicted.

This is the man who has been in and out of the limelight since he was released from prison in the mid-1950's. He appeared on an air "interview" entitled, "The Political Obituary of Richard Nixon," shortly after the latter had been defeated in the California gubernatorial contest in 1962. And now it seems his name is up for reconsideration by the State Department.

The former Vice President had headed a congressional committee which uncovered the evidence of perjury concerning Hiss back in 1948–49. When this came out in the open, it provided the Republicans a springboard for the 1952 elections.

As a result, the liberals never forgave Nixon, though he never made capital of the incident nor even the principle of seeking out Communists in government while he served as Vice President or during the 1960 campaign.

But the hastily thought out "Political Obituary of Richard Nixon" complete with the appearance of Alger Hiss was supposed to indicate Hiss was now dancing figuratively on Nixon's grave.

If Otepka's leads are based on solid substance, and Hiss indeed returns to the Federal payroll as a State Department employee, he will be able to dance on any number of person's graves. It will also indicate there is still a mess to be cleaned up in Washington.

As a result of Otepka's testimony, only three other State Department employees were

questioned by the Senate subcommittee. Then Secretary Rusk instituted a ruling whereby no employee could testify before the committee without his advance approval.

The stage could be set for another clash between a Senate committee and the State Department which could shake the country more so than did the investigations of the late Senator Joseph McCarthy.

But this time, the chief probers will be Senators JAMES O. EASTLAND, of Mississippi, and THOMAS DODD, of Connecticut, both conservative Democrats.

[From the New York Times, Nov. 14, 1963]

THE CONGRESSIONAL UNDERGROUND

The dramatic turn in the Otepka security case—raising questions about the tactics of the accusers as well as the accused—threatens to obscure the real issue involved. If, as charged, Mr. Otepka's State Department accusers employed dubious eavesdropping procedures against him and then deceived a Senate subcommittee about their actions, suitable disciplinary measures against them should be taken. But none of this, in itself, exonerates either Mr. Otepka or the Senate Internal Security Subcommittee from criticism for the practices in which they engaged.

The essential facts in the Otepka case are not in dispute. Mr. Otepka, a State Department security officer, turned over confidential documents on loyalty and security matters to the Senate subcommittee without authorization from his superiors. For this he has been dismissed. His ouster is now subject to appeal to Secretary Rusk, the Civil Service Commission, and, ultimately, to the courts. Whether or not the punishment imposed on him is proper and legal is best judged there.

The disturbing aspect of the case is that both Mr. Otepka and members of the Senate subcommittee have defended their actions on grounds of "higher loyalty." This is a matter that goes beyond the clear right of congressional committees to investigate executive agencies. Orderly procedures are essential if the vital division of power between the legislative and executive branches is not to be undermined. The use of "underground" methods to obtain classified documents from lower level officials is a dangerous departure from such orderly procedures. And nowhere more so than in matters of loyalty and security.

The McCarthy era amply demonstrated the abuses that can result from the publicizing of raw material from loyalty files. Under an Executive order issued in 1948, the authorization of the President himself is required before loyalty information is turned over to congressional committees.

The desirability of such a limitation was upheld in the report of the select committee in 1954 that led to Senate censure of the late Senator McCarthy. It endorsed the President's "power to safeguard from public dissemination" information of this kind, "notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of the Congress." The same report criticized "failure of the Congress or any Member to adapt itself or himself to reasonable regulations by the President or his authorized department heads * * * with respect to matters involving national security."

The Senate Internal Security Subcommittee will best protect American principles by heeding this admonition.

[From the Chicago (Ill.) News, Nov. 9, 1963]

DOUBLE STANDARD OF SECURITY

A good deal of nonsense has emanated from both sides in the dispute over the State Department's removal of Otto F. Otepka as its chief security evaluations officer. The Senate Internal Security Subcommittee chairman, Senator THOMAS J. DODD, Democrat, of Connecticut, went so far as to view Otepka's firing as "a serious challenge to responsible government."

At the other extreme, a State Department spokesman, trying to prove that Otepka was "out of step with the times," made the ridiculous assertion that the Department "has no security risks, and he knows it."

We would be equally astonished if the State Department were proved 100 percent pure or if Otepka's removal crushed responsible government. The truth of the matter seems to be that this is merely a case in which zeal outstripped judgment.

A State Department inquiry indicated that Otepka had fed classified documents to the Senate subcommittee in defiance of his superiors at State. However noble his purpose may have been, if this be true it was an act of disloyalty to his employers and he should scarcely expect to be rewarded.

At the root of the trouble is the ever-present jealousy and bickering between the legislative and executive departments. Senator DODD was delighted to have a pipeline into State, shortcutting the usual route via the head of the Department. He says that Otepka's violation of executive department orders was "only technical." One may wonder if the Senator would be as lenient if secrets held by his committee were leaked to the executive branch.

Otepka's acquaintance with the State Department's security problems dates back to the days of Senator Joe McCarthy's rampages. It is said tht he has passed at least preliminary judgment on the security credentials of more Washington officials than has any other person.

He will have a chance to appeal his dismissal. But on the showing thus far it would appear that he set himself a different standard of security than he helped impose on others.

[From the Chicago Tribune, Nov. 7, 1963]

WILL SENATE FIGHT?

The State Department has shown its contempt for the prerogatives of the Senate and its indifference to security risks within its own ranks by dismissing its Chief Security Evaluations Officer. It did so in the face of a direct warning carried by a member of the Senate Internal Security Subcommittee to Secretary of State Rusk.

The victim of the purge, Otto F. Otepka, is a veteran of 27 years of Government service. For the last 10 he has been the man who gives security clearances to State Department employees. So well and efficiently did he perform that in 1958 he was awarded the State Department's Meritorious Service Award.

But, as Senator DODD, of Connecticut, has said, in the topsy-turvy world of the State Department, the idea is to catch the cop and not the culprit. So charges were brought against Otepka for having engaged in conduct unbecoming a diplomatic officer—namely, in collaborating with the Senate Security Subcommittee. He was accused of having disclosed secret Department documents to Senators.

In the Department it was said that Otepka "is out of step with the times." A spokesman remarked, "We are not witch hunting any more. We have no security risks, and he knows it." The Senate subcommittee's reaction is one of skepticism. Its investigation of Department wirepulling to picture Castro as the "liberator" of Cuba and not as a Communist, hardly persuaded it that there's nothing kinky in the Department.

It has since been trying to evaluate the security practices, or lack of them, in the Department. It was hampered by a Department order, issued under the cloak of "executive privilege," directing that State Department officials remain away from the subcommittee and give it no information. Otepka freely cooperated with the subcommittee.

Chairman EASTLAND, of the subcommittee, commented, "The powers of Congress are at stake, and I intend to protect Mr. Otepka by every means at my command against accusations which complain, in effect, that he told the truth when asked to do so by a Senate subcommittee."

There can be no doubt that this case reflects an intention by the Kennedy administration to conduct a purge of patriots. The subcommittee feels that the often misused doctrine of executive privilege can be claimed only by the President, not by any bureaucrat who feels like thwarting Congress. We trust that the Senate will press this central point, for if it lets the issue go by default, Congress will soon find itself hamstrung by the bureaucracy in looking into any facet of public business whatsoever. It would be salutary if it invoked its powers to punish for contempt.

Meanwhile, it should exert its utmost efforts to safeguard Mr. Otepka's career through avenues of appeal which ultimately permit reviews of his case by Secretary Rusk and President Kennedy. We have no great faith that there will be sympathy for Mr. Otepka in any of these quarters, for it is obvious the administration was out to get him, and did. These are the kind of rewards a loyal American can expect from a crowd which can always find excuses for Khrushchev or Tito but none for a vigorous anti-Communist.

[From Glen Falls (N.Y.) Post-Star, Oct. 2, 1963]

ANOTHER OUTRAGE

Washington is able to live only so long before, periodically, it is confronted by a clash between the rights of the executive branch and those of the legislative branch. The latest case concerns a State Department officer who reportedly faces discharge for leaking information to the Senate Internal Security Subcommittee during the Truman administration. Representative H. R. GROSS of Iowa, a Republican, terms the reported threat an outrage.

According to press reports, the man in question dealt with the Department's security information. It is further reported that he is accused of violating an Executive order by giving information in his care to the Senate committee. The order in question provided that records on the loyalty of Government employees were to be kept in confidence in the executive branch.

According to the Constitution the Government is divided into three separate branches, the executive, legislative, and judicial. None is actually independent of the others but none can give orders to the other either. Congressman GROSS asserts that the Senate committee "had every right to know" the information it is supposed to have received. That is a debatable point depending upon the nature of the information. The question to be settled, however, is whether it had the right to obtain the information as it did or, more precisely, whether the State Department employee had the right to give it as he did.

One of the constant complaints related to loyalty information in the past was that unevaluated, unverified information—gossip—was tossed into the public record causing injury to innocent persons. Congress did not have a "right" to this kind or to use it as it often did.

However, the claim that Representative GROSS appears to be making is that State Department aids are employed by Congress and should respond with information in their care on request. This cannot be so.

This man was under Department orders and those are the orders he should have obeyed. As a matter of fact we do not know that he didn't; he is only accused of "leaking" information. However that may be, he is responsible to his superiors, not to Congress.

If Representative GROSS sincerely believes that an outrage is being perpetuated—legally perhaps—one is tempted to offer a suggestion. Why not give this man a position with one of the congressional committees? Or would these committees feel that their secrets would not be safe with him?

[From the Rockford (Ill.) Register-Republic, Oct. 18, 1963]

MORE EVIDENCE OF ARM TWISTING

Two new incidents this week were added to the growing pile of evidence that the New Frontier will go to great lengths to apply the hammerlock to any person who dares to disagree with the policy of the moment.

Otto F. Otepka, veteran Chief of the Evaluations Division of the State Department's Security Office, charged that he has reason to believe that his office telephone had been tapped and that his desk and safe have been opened and searched "with the knowledge and approval of my superiors, if not by their express direction."

Otepka got into hot water with his superiors when he allegedly gave classified information to the Senate Internal Security Subcommittee. Otepka said he did not furnish any information until confronted with testimony by his superiors which appeared to make him a liar under oath.

Then, Senator ALBERT GORE, Democrat, of Tennessee, charged that the Democratic National Committee was attempting to use the tax reduction bill to purge him from office.

Senator GORE, who opposes the measure, accused his own party leaders of political intimidation. He said seven-page telegrams urging support of the tax bill had been sent to Democratic leaders throughout Tennessee.

Otepka is a marked man. His days in the State Department obviously are numbered. Senator GORE is a tougher opponent. His continued life in the Senate is measured by his constituents' votes, not the whim of high party leaders. But the road to reelection could be made rocky by opposition from within his own party.

These are not isolated incidents. They are symbols of a growing panic at the slow pace at which the administration's legislative program is moving.

They are examples of exerting "muscle" to force the puppets to dance when the strings are pulled. Attempts to "lean" too hard on either elected or appointed Government officials in efforts to bring them back into line are not palatable to the majority of Americans.

[From the Watertown (N.Y.) Times, Nov. 6, 1963]

THE OTEPKA CASE

The name might suggest to many an espionage case, and that's practically what it is, but with a difference. Otto F. Otepka has been removed by the State Department from his post as chief security evaluations officer because he gave confidential documents to the "enemy"—the Senate Internal Security Subcommittee.

There has hardly ever in the history of the Republic been a time when governmental departments and bureaus did not wrestle with this enemy within: congressional prying. The Otepka episode is only the latest. Congress will now bend every effort to make the State Department sorry that it fired Mr. Otepka because he gave the legislative branch of the Government some inside information on what the executive branch is doing. Senator THOMAS J. DODD, vice chairman of the Senate subcommittee to which Otepka told tales out of school, has risen to the State Department's challenge, and the State Department will find that it has provoked one of the Senate's touchiest on the subject of security. Senator DODD rates himself high as a judge of loyalty.

The gist of the State Department's grievance and dismissal of Mr. Otepka is that he conspired with the Senate subcommittee in its investigation of departmental security practices in an effort to make his superiors look bad, and that is one of the best known ways for anyone, in or out of Government, civil service or not, to lose his job.

Mr. Otepka, a career man in Government service, has as his specialty the sifting of the backgrounds of prospective Government officials for compromising breaches of accepted standards of patriotic conduct. He came to State from the Civil Service Commission in 1953 as Chief Evaluator of Security Clearances, and he has made a reputation for himself for upholding his own judgments, for or against a person under consideration, regardless of any political pressures that may be brought. The trouble is that it seemed to the State Department that he did finally yield to some political pressure; namely, from the Senate investigatory body, in trying to lend assistance. When a Senate committee decides to investigate, it intends to find something.

[From the Charleston (S.C.) News and Courier, Oct. 25, 1963]

MR. OTEPKA'S DUTY

Alarmed at the possibility of senatorial and public indignation over its treatment of Otto F. Otepka, Chief Security Risk Evaluator, the State Department may be planning to reprimand Mr. Otepka rather than seek his dismissal from Government service. This is the report from Roulhac Hamilton, News and Courier Washington correspondent.

The Senate Internal Security Subcommittee, of which Senator OLIN D. JOHNSTON is a member, should no more tolerate a reprimand than dismissal of Mr. Otepka. His crime is that he informed the Senate that high State Department officials were planning to bring known security risks back into the Department. Because he furnished this information to the legislative branch of Government, Secretary of State Dean Rusk wants to oust Mr. Otepka.

The Internal Security Subcommittee should make clear that all Government employees owe their loyalty to the United States of America, not to any Department thereof. If Mr. Otepka had evidence of actions hurtful to the security interests of the United States, he had a right—indeed it was his duty—to report it to officials who would take action.

To reprimand a U.S. citizen for doing his duty would be a shame and an outrage. It would be an unmistakable signal to other State Department employees to cover up evidence of disloyalty.

[From the St. Louis Post-Dispatch, Nov. 5, 1963]

ON FIRING OTEPKA

The State Department acted forthrightly and courageously in firing Otto Otepka, its former Chief Security Risk Evaluator, on charges of unbecoming conduct. If the State Department accusations are factual, Mr. Otepka is himself a security risk and should not hold a sensitive post. If Mr. Otepka thinks they are not, he has ample avenues of appeal.

Mr. Otepka, who has been under suspension since September 23, was charged with declassifying and mutilating certain documents and with having prepared questions for the counsel of the Senate Internal Security subcommittee to ask State Department witnesses. He denied violating the spirit of the departmental regulations. The subcommittee was then investigating State Department attitudes toward Fidel Castro in the period of Castro's rise to power.

The subcommittee, through its vice chairman, Senator DODD of Connecticut, strongly supported Mr. Otepka, contending that violations, if they occurred, were "technical." They seemed to us, and obviously to the State Department, to be anything but that. And they must have seemed substantive to the White House—President Kennedy promised on October 9 to examine the matter himself when the time came for disciplinary action.

As we have noted previously, there is more involved here than the activities of Mr. Otepka. The question, and it is not a new one, is whether congressional witch hunters are to be allowed to reach down to minor officials in the executive branch and use them to promote their own causes. It is not a question of getting information; that could properly have been obtained through legitimate channels.

A decade ago the State Department knuckled under to Senator McCarthy on the same issue as the one presented in the Otepka case. We congratulate the Kennedy administration for putting the Senate inquisitors in their place.

[From the New York World-Telegram and Sun, Nov. 13, 1963]

DISCORD AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case.

His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal, but if the charges stand up, he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD of Connecticut and EASTLAND of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President.

This recurring conflict provides the case with added drama.

DODD demands that, instead of firing Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Otepka's office, then later admitted it.

These charges are under investigation. These men also have placed their jobs in grave jeopardy, if not for spying on Otepka, then for misleading the Senators.

But all questions of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep it out of war.

Whether speaking to Congress or to Khrushchev, the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations.

The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Salt Lake City (Utah) Tribune, Nov. 11, 1963]

FIRED FOR CAUSE

The State Department's firing of Otto Otepka, its former chief security risk evaluator, has occasioned a flurry in Washington.

One critic has asked, "Why is it wrong to give information to the Senate Internal Security Subcommittee; it's on our side, isn't it?"

Mr. Otepka was charged with unbecoming conduct. He had been under suspension since September 23, charged specifically with declassifying and mutilating certain documents and with having prepared questions for the counsel of the subcommittee to ask State Department witnesses. The subcommittee at the time was investigating State Department "attitudes" toward Fidel Castro during the period of Castro's rise to power.

Vice Chairman DODD of the subcommittee contends that any violations of which Mr. Otepka might be guilty were purely "technical." Involved in the total issue is whether congressional probers can reach into the executive department and have an official surreptitiously do their work for them. The issue goes beyond getting information which could have been obtained through legitimate channels. It strikes at the system of checks and balances.

The Kennedy administration has rightfully acted in defense of the executive department. A decade ago when a similar issue was presented, the State Department surrendered to Senator McCarthy. The country did not benefit.

[From the New Bedford (Mass.) Standard-Times, Nov. 7, 1963]

OTEPKA PAYS THE PRICE

The dismissal of Otto F. Otepka, a State Department security officer, is sad evidence that the outspoken anti-Communist has everything to fear in the diplomatic bureaucracy, and the leftwinger is assured of the ultimate in protection.

Otepka was the principal witness before the Senate Internal Security Subcommittee that made an 18-month investigation of why U.S. diplomats were so misinformed as to the Communist orientation of Fidel Castro.

Otepka discussed in detail the background of one William Arthur Wieland, who had charge of the State Department's Cuba desk during Castro's rise to power.

The subcommittee reported that Wieland, who formerly lived in Cuba under the name Montenegro, a fact he had not disclosed on his employment application—had been guilty of grave errors of judgment and had failed to forward to State Department superiors material concerning Castro's Communist ties.

A State Department investigation of Wieland concluded he was not disloyal but that, as the subcommittee concluded, his judgment was faulty.

The net result: Wieland is still holding a comparable important position in the State Department; Otepka is now dismissed for alleged furnishing to the subcommittee copies of classified documents concerning the case, in violation of a Truman administration order on executive department privilege with reference to classified papers.

Is the American public supposed to believe that Otepka's alleged violation is the first instance of classified information finding its way out of the State Department? Has not the administration, and others before it, constantly leaked the imports of such documents to news media when the objective was considered of sufficient importance, political or diplomatic?

Security officer Otepka may have violated a regulation. But, if so, it was in cooperation with a sensitive and security-conscious arm of the Government, an important agency of the U.S. Senate, and his motives could only have been of the highest.

Had Otepka belonged to the powerful, intrenched "fourth floor" of the State Department, there can be little doubt a way would have been found to excuse his transgression. But he does not belong, as Wieland apparently does. For the one, retribution is inexorable, speedy and harsh; for the other, long-winded extenuation, security, preferment. This is a miserable contrast in how not to beat the enemy.

[From the Perth Amboy (N.J.) News, Nov. 8, 1963]

SKELETONS IN STATE'S CLOSETS?

A high-ranking State Department security aid is facing disciplinary action, and the bitter reaction from Congress is just starting.

The issue is simple: Can Government agencies work behind closed doors, hidden from the watchful eyes of Congress and the taxpayer?

Otto F. Otepka was in the post of chief security evaluation officer in the State Department until his dismissal by that agency this week. It had been coming.

He was accused of "leaking" to the Senate Internal Security Subcommittee what the State Department considers classified documents.

This is by no means the end of the Otepka case, because Congressmen have pledged to have the full story told.

Moreover, it is by no means the end of congressional efforts to find out what is going on behind curtains of secrecy. This curtain is dropped by the entrenched bureaucracy under the tired label of the "national interest."

When a security aid is fired, the logical question is, What does the department in question have to hide?

What is the department afraid of Congress uncovering?

Full disclosure and the public's basic right to know demands a full investigation of the Otepka case and continuing efforts to prevent Government agencies at any level from clandestine operations.

[From the Alexandria (La.) Town Talk, Nov. 1, 1963]

ONLY IN WASHINGTON

Otto Otepka is a security specialist in the State Department who has been charged with breaches of security. The State Department has not suspended him.

Meanwhile, the Senate Internal Security Subcommittee pursued an investigation of the State Department's investigation of Mr. Otepka, who is charged specifically with leaking classified information to the subcommittee's counsel, J. G. Sourwine.

At last report from the wonderful wizards of the Potomac, it had not been determined who would investigate the Senate committee's investigation of the State Department's investigation of Mr. Otepka.

[From the Minneapolis (Minn.) Tribune, Nov. 3, 1963]

A QUESTION OF SECURITY

To the EDITOR:

Otto Otepka, a civil servant of the State Department, is about to be fired by Dean Rusk, an executive appointee, or by other civil servants because he answered questions posed by members of the Senate Internal Security Committee, sent to Washington by constituents.

It was intended by our Founding Fathers that checks and balances be set up whereby control would remain in the hands of the people through their elected representatives. But the burgeoning bureaucracy of the Kennedy administration is audaciously attempting to cashier a faithful employee who was merely obeying the law.

Richard Wilson (October 20) pinpoints the real reason: "The truth is that Otepka follows too hard a line in security evaluations to satisfy his immediate superiors." Is it any wonder the State Department is charged with being soft on communism?

R. L. HEUNISCH.

MINNEAPOLIS.

[From the Greensboro (N.C.) News, Nov. 8, 1963]

OTEPKA DAY

Tuesday, if the gentle reader is not aware of it, was "Otepka Day" at the State Department in Washington—that is to say, the day on which State handed Mr. Otto Otepka, its chief security risk evaluator, his walking papers. It has been so designated by the silly-willies who lavish martyrdom on anyone who resists the State Department's dark conspiracy against the American way.

Mr. Otepka has been fired (subject to review by the Civil Service Board) for "conduct unbecoming an officer of the Department of State"—more specifically, for turning classified information over to J. G. Sourwine, the chief sleuth of the Senate Internal Security Subcommittee, whom we seem to remember as a hand-me-down from the McCarthy days. Mr. Otepka has not denied that he provided classified information as "exhibits" for Mr. Sourwine's use.

Prominent Senators—themselves members of the Internal Security Subcommittee—have sprung to Mr. Otepka's defense; and Representative GROSS of Iowa calls his firing an outrage.

Is it really? The public has no way of knowing, at this point, whether the classified information Mr. Otepka turned over to the Senators should be "classified"; but that is essentially beside the point—which is simply that a State Department employee may not convey classified papers to unauthorized persons.

This was, of course, the original charge against Alger Hiss—that he had turned over secret papers to outsiders. And it is passing strange that those who so mercilessly pressed for justice to Mr. Hiss would now make a martyr of a man who is apparently guilty of the same indiscretion. What sort of double standard is this? Are the learned Senators attempting to maintain that when Mr. Hiss relayed classified papers to outsiders—if he did so—it was high treason, but when Mr. Otepka did the same it is patriotism?

[From the Philadelphia News, Nov. 9, 1963]

CONFLICT OF INTEREST CASE LEAVES OTEPKA IN MIDDLE

A conflict of interest case unlike those we usually hear about has aroused the ire of a number of Congressmen. This one involves Otto F. Otepka, who has been removed from his post as Chief Security Evaluations Officer of the State Department.

Otepka's conflict of interest involves his loyalty. He worked for the State Department, but was called upon to give information to the Senate Internal Security Subcommittee.

This put him squarely in the middle of a longstanding struggle between Congress and the executive branch over how much information the executive branch has a right to withhold from legislators.

The State Department charges that Otepka handed over confidential documents, and even suggested a line of questioning that the subcommittee's counsel should follow in quizzing Otepka's superiors. State obviously feels that Otepka's usefulness is ended.

Senator THOMAS J. DODD, Democrat, of Connecticut, vice chairman of the subcommittee, accuses the State Department of treating Otepka worse than someone guilty of disloyalty or espionage.

The conflict between Congress and the executive branch is an old one, and is, in fact, a conflict no one really wants to see ended.

But a delicate and useful system of checks and balances is at work here and the case of Otepka is a classic example of divided loyalty.

Otepka has said he will appeal. His dismissal is subject to review by Secretary of State Dean Rusk and President Kennedy.

In the meantime, how about some guidelines for people like Otepka? There will certainly be others in the future.

[From the Greenville (S.C.) News, Nov. 3, 1963]

WHEN DID THIS BECOME A CRIME?

The curious case of Otto F. Otepka is bound to have serious repercussions in Washington for many weeks to come.

Mr. Otepka was fired by the Department of State on official grounds of "conduct unbecoming an officer" of the Department.

Stripped of officialese, this means that Mr. Otepka got caught giving the Senate Internal Security Subcommittee information on State Department policies and policymakers involved in the Cuban situation.

He is accused of turning over classified documents and helping prepare questions for J. G. Sourwine, subcommittee chief counsel, to put to witnesses during an investigation into the Cuban crisis.

Already members of the subcommittee are protesting the action. Senator THOMAS DODD of Connecticut, a Democrat, interprets the dismissal of Mr. Otepka as a direct slap at Senate authority and as a "serious challenge to responsible government."

Senator DODD points out that Mr. Otepka is not charged with having falsified information but with simply handing the group some facts it might find useful in its efforts to preserve the Nation's security.

Although the punishment meted out to Mr. Otepka is severe, his actions are not unprecedented. Officials in executive departments have "leaked" information to Members of Congress from time out of mind, just as Congressmen have "leaked" information from Capitol Hill.

Admirals have leaked information bolstering their case against the Army and Air Force. The Securities and Exchange Commission has been accused of leaking reports on its proceedings in cases. And who can surpass Brother Bobby's Justice Department for skillful leaking of progress reports on criminal cases?

Is anyone prepared to propose that the middle Kennedy brother be fired for giving out "secret" information?

The executive department, the Congress and enterprising reporters have all benefitted from this loose handling of so-called "secret" information. On balance, we are sure that the American public has benefited as well.

But rarely if ever has a member of a department been fired for this almost commonplace act. If it should become a hard and fast precedent the civil service rolls will shrink to almost nothing.

It is hard to understand why Mr. Otepka's "crime" is any more heinous than the thousands which have gone before. It leads almost inescapably to the conclusion that the State Department has something dreadful to fear from such leakage.

The Senate Internal Security Subcommittee should launch an immediate investigation into the State Department's suspiciously harsh treatment of an old and able employe. We shall look to Senator OLIN JOHNSTON, a member of the subcommittee, for a report soon.

[From the Lansing (Mich.) State Journal, Nov. 9, 1963]

OTEPKA'S OUSTER DISTURBING

The dismissal Tuesday of Otto F. Otepka from his job as chief security evaluations officer for the U.S. State Department raises new and disturbing questions as to what's going on in Washington.

Otepka was fired on charges of conduct "unbecoming an officer of the Department of State." Under suspension since September 23, he was accused among other things of giving confidential information to the Senate Internal Security Subcommittee.

The ouster of Otepka recalls a column we published a few weeks ago in which Washington writers Robert S. Allen and Paul Scott reported that Senate probers digging into the case "uncovered a backstage effort within the State Department to clear the way for a number of former security risks, including Alger Hiss, to worm their way back onto the Government's payrolls as either employes or consultants."

Otepka reportedly was so shocked by the activities of one of the central figures in the maneuvering in behalf of the former security risks that he sent a series of reports to his superiors, including one that was routed through channels to McGeorge Bundy, President Kennedy's chief White House adviser on foreign policy.

Otepka was quickly placed under surveillance and then removed from security operations, according to the Allen-Scott report, and charges of "misconduct," involving the alleged turning over of documents to the Senate subcommittee, were filed against him.

Senator THOMAS J. DODD, Democrat, of Connecticut, attacked Otepka's ouster as an affront to the subcommittee, which he heads, and to the Senate as a whole.

"In the topsy-turvy world of the State Department, 'security violations' have come to mean not the act of turning over information to an alien power but the act of giving information to a Senate subcommittee," DODD told the Senate.

"The charges boil down to the simple fact," DODD said, "that Otepka testified honestly before the subcommittee about matters relating to security in the Department of State."

The Senator also said that the State Department in the Otepka case has in effect nullified statutes establishing the right of Government employes to furnish information to Congress and has "issued a warning to all employes who cooperate with the Internal Security Subcommittee that the giving of testimony unpalatable in the higher echelons of the Department is a crime punishable by dismissal."

Asked about the case at a news conference October 9, President Kennedy said, "I will examine the matter myself, when it comes time to take any disciplinary actions, if such a time does come."

Evidently somebody in the State Department decided the time had come Tuesday. It raises the question of whether Kennedy did examine the case and, if so, whether he goes along with the dangerous notion that security officials are supposed to guard the the security of departmental officials against congressional investigations or the security of the Nation against its enemies.

[From the Anniston (Ala.) Star, Nov. 7, 1963]

STATE DEPARTMENT THROWS BOOMERANG

There are some painful and unanswered questions left in the wake of the State Department's firing of Otto F. Otepka, its chief security risk evaluator.

Although the evidence is not yet conclusive, the Department may be the guilty party.

It may be guilty of getting rid of an officer who had the disconcerting habit of providing Congress with keys to unlock the musty valuts where evidence of official mistakes are kept.

Second, it opens the Department and the entire administration to charges by the fevered rightwing that may stick.

Two of the 13 specific charges against Otepka accuse him of preparing questions for a Senate Internal Securities investigator. The committee was conducting an inquiry into the reasons the State Department did not know that Fidel Castro would turn sour.

While it is a natural instinct to hide mistakes, the airing of these mistakes is a basic safeguard of our governmental system.

The ability of Congress and newsmen to present to the American public the whole record—both good and bad—affects the flow of information with which we can make a judgment about whether an administration should be reelected or turned out.

Critical examination is equally as vital in Democratic administrations as in Republican administrations.

Of course, the fact that Mr. Otepka is the chief security risk evaluator is incidental. But the frantic rightwing will probably translate his firing as an attempt by the administration to protect the "thousands of Communists in the State Department."

These charges, when they come we will brand as patently false because the sources that make them never have evidence, only suspicion.

Certainly, Government employees owe their superiors loyalty. They can and should be replaced if they are not doing a good job. Carefully prepared leaks aimed at specific personalities in any department involving information it is not necessary for the public to know to evaluate an administration could be considered a firing offense.

But, if the whole case against Mr. Otepka is no more damaging than providing clues to a Senate committee to get answers that should be found, the State Department itself will be on trial for his firing.

[From the Evansville (Ind.) Press, Nov. 13, 1963]

OTEPKA CASE PUTS SPOTLIGHT ON NASTY CONDITION AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department Security Risk Evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD of Connecticut and EASTLAND of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that instead of firing Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy,

if not for spying on Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain of a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by Civil Service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with Civil Service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Knoxville (Tenn.) News-Sentinel, Nov. 13, 1963]

DISCORD AT STATE

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[From the San Antonio News, Nov. 8, 1963]

STATE DEPARTMENT'S NEW SECURITY CASE

Firing of State Department security investigator Otto F. Otepka brings to the fore once again the problem of independence between executive and legislative branches of the Government.

Otepka was dismissed for giving what the State Department says is classified information to the Senate Internal Security Subcommittee. Specifically, he offered data for questions to be asked by the subcommittee's staff lawyer.

Otepka very probably violated Department rules. The question is whether such violation was in the public interest—as it very well could be. At any rate, the subcommittee now is duty-bound to justify its probing into whatever it was the Department finds so objectionable about the disclosures.

State Department "spokesmen" say the kernel of the controversy is that "Otepka is out of step with the times. * * * We are not witch-hunting anymore. * * * we have no security risks, and he (Otepka) knows it."

That is a sweeping statement, even naive. Security clearances are sensitive matters; they should be handled fairly and carefully. It is always a big surprise to find some trusted employee has been some kind of a spy, so it is better to err on the side of caution than on the side of carelessness in security matters.

We certainly do not presume to judge the case. We think that where executive employes have information they believe to be for the public good, they should place it where it will get adequate consideration. This clearly places the burden of proof upon the Senate subcommittee to justify what has been done.

[From the Roswell (N. Mex.) Record, Nov. 7, 1963]

SENATORS KEPT IN DARK?

Why should any information be withheld from the Senate Internal Security Subcommittee? How can such a committee operate unless it has all the facts in hand to judge any case of security violation.

It seems strange to us that Otto F. Otepka was dismissed from his job as State Department security officer for, among other things, giving confidential information to the Senate Internal Security Subcommittee. Is this a crime? Is this reason for dismissal?

How can our Senators do their jobs properly unless they have access to information concerning security violations. It appears here that the executive branch of the Government is usurping the constitutional power of the legislative branch of Government.

Would the same thing happen to a State Department employee who gave information to the House Un-American Activities Committee?

The formal charge against Otepka was conduct "unbecoming an officer of the Department of State."

Did this conduct merely mean that the man was cooperating with the U.S. Senate.

Now, there may be more to this case than meets the eye. But, it seems to us that Senators charged with security matters should have access to any information that is pertinent.

Are the branches of Government in competition with one another—the State Department hiding facts—the Senate and the Senate forced to scratch for information.

We feel that the public is due a complete explanation of Otepka's firing. Does the State Department consider a request from the Senate for information "none of the Senate's business?"

If so, things are in a sorry state.

[From the Knoxville (Tenn.) Journal, Nov. 7, 1963]

THE PRICE OF DISCLOSURE

The Senate Internal Security Subcommittee is charged with the responsibility of attempting to weed out subversive characters who have had a way, during the past 40 years, of infiltrating places both high and low in the Federal bureaucracy. This committee carries on its work by summoning witnesses whose testimony it is felt will shed light on matters related to national security.

The committee is bipartisan, and over the years has managed to provide substantial protection for the Government in this fashion.

Now the country is faced by the spectacle of the firing of the chief security officer of the State Department by Secretary of State Dean Rusk on charges that this career employee had disclosed departmental secrets. One might conclude from this bare recital of the facts in the case of the security officer, Otto F. Otepka, that this man had handed over to some potential enemy, such as Russia, vital information. The fact is that he is being fired because his testimony before the Senate committee made liars out of several of his superiors in the State Department who had, either in ignorance or purposely, connived at the employment of persons in the Department who were doubtful security risks.

Members of the Senate committee are naturally indignant that Otepka has been dismissed on charges of conduct "unbecoming an officer of the Department of State." Several of these Senators are predicting the security officer's reinstatement. Not as a partisan matter, but as one of concern for the continued seeking out of subversion, we hope that the Senators are right.

Of course, Mr. Otepka may be in the process of being blessed if his discharge stands. We recall that in 1957 the Tennessee Valley Authority fired Joseph C. Swidler for preparing loaded questions to be asked by U.S. Senators during the course of hearings on the confirmation of Arnold R. Jones, nominated to membership on the TVA board. Swidler's firing was handled under the cloak of resignation, but there was never any question about the real facts in the case.

This appeared to be a sad blow to Mr. Swidler's career, but the next thing anyone knew, he bobbed up as the President's Chairman of the Federal Power Commission, a post which he holds today. Mr. Otepka may take some comfort from this occurrence so far as the future is concerned.

We hope, however, that before he takes a new job anywhere, he will write a book giving the American people the facts on his discharge and the identity of his accusers. Subversion is nothing new in Foggy Bottom, but the only protection against it is full disclosure when it appears.

[From the Oakland (Calif.) Tribune, Nov. 7, 1963]

A RIPROARING EVENING

One of the most important developments in modern political affairs has been the appearance of a healthy dialog in the realm of political science.

Basic issues are being explored as never before. Positions are being articulated with more skill than has been evident in years.

Bay area residents will have a chance to observe political exchange at its very best in a few days. On the evening of November 18, in the Berkeley Community Theater, there will be a debate between the eminent conservative editor and columnist, William F. Buckley, Jr., and the distinguished University of California Professor Joseph Tussman.

To top it off, the moderator of the debate will be Eugene Burdick, author of the best-seller, "Fail-Safe."

The debate will be conducted on the subject, "Resolved: The Communist Investigating Committees Have Been Beneficial to the American People." In other words, it will undoubtedly center upon the activities of the House Committee on Un-American Activities, and the Senate Internal Security Subcommittee.

This particular debate will be conducted Oxford style, which allows the opponents to cross-examine each other. We can scarcely imagine a more lively and enlightening evening. Both as sheer entertainment, and as a means to achieve enlightened citizenship, the debate promises to be unusually fruitful.

Why don't you plan to see it?

[From the Chicago (Ill.) Tribune, Nov. 20, 1963]

SOME CLARIFICATION

Caught up in their own and the State Department's lies, two of the Department's security officials have found it advisable to resign after first having been put on "administrative leave." The two who have departed under fire of the Senate distinguished themselves as the administration's hatchet men in a campaign to get rid of Otto F. Otepka, the Department's security evaluations officer.

The State Department had aroused the anger of a Senate security subcommittee by firing Otepka after he had testified before the committee about disloyalty within the State Department. The Department accused him of telling secrets to the Senators and charged him with conduct unbecoming a diplomatic officer. Otepka is still on the payroll pending an appeal.

Called before the committee to explain the charge against Otepka, John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer Dewey Hill, a subordinate, told the Senators under oath that they knew nothing of any attempts to tap Otepka's telephone.

Last week the two men—plus a third who had given similar testimony but is still on duty—sent letters to the subcommittee purporting to "clarify" their testimony. This "clarification" consisted of an admission by Reilly that he had given orders to "survey feasibility of intercepting conversations in Otepka's office." There, according to the letters, Hill and the third man "altered the existing wiring in the telephone in Otepka's office to the division of technical services laboratory by making additional connections in the existing telephone wiring system."

Their purpose, according to this lame excuse, was not to monitor the telephone but to pipe all of Otepka's office conversation into Hill's laboratory. Having thus bugged all of his conversation by way of his telephone, and searched his classified wastebasket as well, the three men had the nerve to swear that they knew nothing of attempts to tap his telephone.

For telling the truth to the Senators, Otepka was fired. For lying to them, Reilly [said to be a close friend of Attorney General Kennedy] and Hill have been reluctantly and belatedly allowed to go their way. Thus has the State Department demonstrated its measure of ethics: To collaborate patriotically with Congress is conduct punishable by dismissal; to impede and mislead Congress and to persecute those who collaborate with it is preferable. The testimony of Reilly and Hill is not the only thing in the State Department that needs "clarification."

[From the Nashville (Tenn.) Banner, Nov. 7, 1963]

MEANWHILE, FOR TELLING TRUTH, OTEPKA LOST HIS JOB

If it shocks that Otto Otepka—the State Department's chief evaluator of security risks—has been fired for telling the truth, the shock isn't relieved by disclosure of the methods employed in the search for grounds of dismissal. By reports now current in the Senate, Government "cloak-and-dagger" operatives used all the tricks in the trade in "investigating" him. The checked discarded carbon papers, looked at used typewriter ribbons, and one Senator claims they put a "tap" on the Otepka telephone.

One would assume that this technique is reserved for spies, serving some unfriendly power. Mr. Otepka was not engaged in espionage. His "offense" was that of testifying before the Senate Internal Security Subcommittee in connection with its investigation of State Department Cuban policies; and answering some questions put to him by that body. The truth of his answers isn't in dispute.

But as a result of this intra-Department sleuthing, Mr. Otepka has been dismissed, presumably with the sanction of Secretary of State Dean Rusk.

Although Republican members of the subcommittee have been outraged by this action, it is more significant that the most telling criticism has come from Senator THOMAS J. DODD, Connecticut Democrat and vice chairman of the body.

Terming the firing of Otepka a serious challenge to responsible government, Senator DODD added: "This man was not charged with giving the committee false information. He was fired because he gave the committee true information that embarrassed someone." It was DODD who said he had "proof positive" that Otepka's phone was bugged.

It is the contention of other subcommittee members that the information received from the security officer was needed in order to establish that other State Department officials were not telling the truth.

Obviously, there must be a great deal about the administration's Cuban policies which would "embarrass someone." But any effort on the part of any official to cover up by telling lies is beyond the pale.

Apparently, the subcommittee, which naturally would be dominated by Democrats, was attempting to find out Cuban policies—past and present. The Nation would like to know what they are, or were. Though the administration's record is not one it can point to with pride, the story should be told short of violating national security regulations. The mistakes of the past cannot be hidden on an "out-of-sight, out of mind" in departmental files.

The Civil Service Commission will review the case and President Kennedy has promised to look into the matter personally.

But as of this moment, it appears that a career State Department official has been "sacked" for telling the truth to a subcommittee of the U.S. Senate who was trying to find out nothing but the truth.

[From the Spokesman-Review, Nov. 11, 1963]

OFFICIALS LIED TO NAIL OTEPKA

One of the strangest and most shocking stories to come out of the State Department in recent years is the acknowledgement that three of its officials did not tell the truth when they were questioned with respect to the case of Otto F. Otepka.

The questioning was done before the Senate Internal Security Subcommittee months ago when that group was trying to find out why and how Mr. Otepka was being harassed by his own State Department superiors. He is the 27-year career man who was fired last week for conduct unbecoming an officer of the State Department.

Citizens who have been following this strange case will remember that Mr. Otepka had cooperated with the Senate committee in its investigation of how Fidel Castro came to power in Cuba and what was happening in our State Department before and after the Communist takeover.

The State Department apparently tried to brand Mr. Otepka as disloyal to the Department because he was more loyal to the U.S. Government and to the inquiries in the U.S. Senate.

Now it has been revealed that in their effort to discredit Mr. Otepka, three officials of the Department not only tried to "bug" the Otepka office but they misled the Senate committee when it was probing into that incident. Just the other day they corrected their earlier testimony before the committee and have since been suspended by the Department.

Senator THOMAS J. DODD, Connecticut Democrat, who is vice chairman of the committee, declared after this acknowledgement last week that "in effect, they lied under oath to a Senate committee; these are the fellows the State Department should prefer charges against, not Otepka."

Under the Kennedy administration the State Department has developed all sorts of justifications for conforming with the peaceful coexistence policies of such Communist leaders as Khrushchev and Tito. Yet there has been, among various State Department officials, little or no sympathy for men like Mr. Otepka, who was for several years the Department's chief security evaluations director.

The Otepka "crime" was to pass along to the Senate committee some information which other State Department personnel considered confidential.

It certainly is time for the Senate committee to get to the bottom of this case. Senator DODD and others on the committee should not be deterred by the mere fact that the Department itself has suspended the "bugging" officials and has tried to cover up the trail of mistakes previously made.

[From the Roanoke (Va.) Times, Nov. 11, 1963]

LOYALTY TO WHOM?

Another unhappy episode has been added to the long series of controversies between the executive and legislative branches of the Federal Government over the latter's right of access to information about agencies operating under the executive department. The question involved seems no nearer resolution now than at any time since it first became a bone of contention.

The current case is that of Otto F. Otepka, who was removed by the State Department as its Chief Security Evaluations Officer because, the department charges, he gave confidential information to the Senate Internal Security Subcommittee.

Last month the State Department revealed how it put its own internal security apparatus to work on Mr. Otepka. In an opperation with cloak-and-dagger aspects, the agency says it found evidence obtained by checking the contents of Mr. Otepka's "burn bag" that he had clipped "secret" classifications from some documents and had turned the documents over to the chief counsel for the Senate subcommittee. "Burn bags," it should be explained, are receptacles for officially destroyed papers. The department's investigators also claimed they found evidence that Mr. Otepka had supplied the subcommittee's council a list of questions to be asked of State Department superiors of Mr. Otepka during a probe of State Department matters.

If Mr. Otepka appeals his removal from his $16,900-a-year position, the case could reach the courts after administrative channels are exhausted. Mr. Kennedy told a news conference last month that he would review the case before a final decision was reached. Whether this means the Chief Executive has already studied the case or whether he will take a hand in the likely appeal to Secretary Rusk is unclear.

At any rate, a serious question has arisen over the matter of loyalty of Government employees. In this context the issue is not one of loyalty to country but of loyalty to a branch of Government. The State Department decision in the Otepka case suggests it considers that loyalty to an agency of the executive branch supersedes loyalty to the legislative branch. If this is to be the standard, then, as Vice Chairman DODD, of the Senate subcommittee, charges, the Amer-

ican system of checks and balances in Government is at stake.

[From the Cincinnati (Ohio) Enquirer, Nov. 10, 1963]

CHASING THE POLICEMAN

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

The foregoing excerpt from a Federal statute is basic to the American system of governmental checks and balances. It is not a license to the legislative branch of the Federal machinery to abscond with the constitutional prerogatives of the executive branch; but it does assure to Congress and to its legislative committees the right to secure the facts and figures without which their Members must legislate in darkness.

The provision has particular relevance in view of last week's dismissal of Otto F. Otepka for conduct "unbecoming an officer of the Department of State."

Another view of the charge against Mr. Otepka was offered by Senator THOMAS J. DODD, Democrat, of Connecticut, on the Senate floor Tuesday. "The charges on which Mr. Otepka's dismissal is based," Senator DODD told the Senate, "boil down to the simple fact that he testified honestly before the Senate Subcommittee on Internal Security on matters relating to security in the Department of State."

BEHIND OTEPKA: A RECORD OF EXCELLENCE

Had he not been singled out for dismissal, Otto F. Otepka very probably would have devoted his entire adult life to Government service without coming to the attention of the American public. He has behind him some 27 years of Government service. In the course of his career, he had risen to be Deputy Director of the State Department's Office of Security and officer in charge of evaluations. His efficiency ratings over the years have been nothing but "excellent." In 1958, in fact, he was singled out by Secretary of State John Foster Dulles to receive a Meritorious Service Award.

Quite suddenly, Mr. Otepka's prospects changed.

First of all, his State Department superiors installed a tap on his telephone. (A State Department official subsequently denied under oath that such was the case, but the Senate Internal Security Subcommittee purports to have evidence that the tap was in fact installed.)

Then they began to piece together scraps from Mr. Otepka's wastebasket.

Next they locked him out of his office and denied him access to his office files—all without bringing formal charges against him.

EVEN ENEMY AGENTS ARE NOT SO TREATED

As Senator DODD told the Senate Tuesday, "No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humiliation."

The gist of the case against Mr. Otepka is that he helped to prepare a series of questions for J. G. Sourwine, counsel to the Internal Security Subcommittee, to put to State Department witnesses in the course of a recent inquiry into U.S. Cuban policy.

Mr. Otepka, it turns out, was convinced that the State Department officials were lying to the Senate subcommittee.

About other reasons for the sudden anti-Otepka vendetta there can be only speculation. The conservative fortnightly, National Review, contends that Mr. Otepka objected strenuously to the security clearance granted to Harlan Cleveland, Assistant Secretary of State for international organization affairs. An additional Washington rumor has it that a plan is a foot to bring Alger Hiss back into the State Department as a consultant.

Subcommittee members have indicated that Mr. Otepka is also concerned about the presence of men of questionable background in influential State Department assignments. Some of them purportedly helped to draw up the test ban treaty. Others, the same report goes, are working on additional agreements with the Soviet Union.

Mr. Otepka also is reportedly concerned about the Kennedy administration's practice of granting so-called emergency clearance to top State Department personnel at the rate of 150 a year (compared with two or three emergency clearances a year during the Eisenhower administration). This means that such personnel go to work immediately without awaiting the normal procedures through which the State Department and other Federal agencies have traditionally protected themselves from subversives and others unsuited for access to Government secrets.

A final cause of concern to Mr. Otepka has been the constant juggling of Office of Security affairs since the very outset of the Kennedy administration. These successive reorganizations aroused the concern of John W. Hanes, who served as head of the office during the Eisenhower years. "I can only say," Mr. Hanes declared, "that this either is due to incompetence or a deliberate attempt to render the State Department's security section ineffective."

Whatever the specific facts of the case, there has been no hint of partisanship in the congressional outrage at the anti-Otepka campaign. When the Otepka crackdown began, in fact, the full Senate Judiciary Committee (of which the Internal Security Subcommittee is a part) voted unanimously to lodge a formal protest with Secretary of State Dean Rusk. Among those supporting the protest: Senator EDWARD KENNEDY, of Massachusetts, the President's brother.

It is small wonder that Senator DODD declared in his Senate speech Tuesday: "In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprit."

Senator DODD is unquestionably aware that he has undertaken a fearful responsibility in registering so vigorous a protest against a department of the Federal Government. He is aware that allegations of incompetence—or worse—in the handling of security affairs are of the gravest nature.

So are we.

But if the Otepka case is weighed alongside the whole drift of the Kennedy administration in its frantic efforts to justify an "accommodation" with international communism, there is cause for the deepest concern on the part of every American.

From the wining and dining of J. Robert Oppenheimer at the White House to the selection of Alexander Meiklejohn (who has given his name to a campaign to destroy the House Committee on Un-American Activities and to an almost infinite variety of other leftist causes) to receive a Federal medal on the Fourth of July, the Kennedy administration has closed its eyes to what could happen and to what has happened in the past.

Such a line, far from reducing tensions in today's troubled world, has earned for the Kennedy administration the contempt of our enemies, the anxiety of our friends and the apprehension of the 180 million Americans the administration is sworn to protect.

[From the Texarkana (Tex.) News, Nov. 18, 1963]

OPTEKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime" in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to get Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employes.

But the heart of the issue is whether a Federal employe should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

[From the Memphis (Tenn.) Press-Scimitar, Nov. 13, 1963]

DISCORD IN STATE DEPARTMENT

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But all questions of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition in the State Department which is highly disturbing.

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If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations. The security of the United States, upon which the smooth function of this Department measurably depends is vastly more important than the right of an uncooperative government employee to hold on to his job.

[From the New Orleans (La.) Times-Picayune, Nov. 19, 1963]

NO TRADE

The resignation of two high officials in the Security Division of the State Department who figured in the recent dismissal therefrom of Otto F. Otepka, may strike some as a sort of poetic justice trade-off.

The immediate cause of the resignations has to do either with belated admission of using or trying to use a wiretap or "listening bug" in early stages of a checkup on Mr. Otepka; or with early denial or disclaimer of this attempt; or with both.

But behind this development are some other matters involving officials in the Department and Mr. Otepka which still keep alive the question of whether he was justly treated from the inception, and particularly with respect to the main gravamen of the charges against him—the disclosure of nominally "classified" documents, etc.

The Senate Judiciary Committee is very disturbed about the handling of the Otepka affair by the State Department. Leaving aside the matter of congressional-executive relations, the picture that has been drawn, and so far not contradicted, is that of a zealous security officer whose very zeal got him into hot water; of an officer whose only real recourse to protect himself in a situation of conflict in sworn committee testimony was to effect declassification, borderline or otherwise, of certain material. Until these points are cleared up, it cannot be assumed that anything less than reinstatement of Mr. Otepka, apart from resignations made or perhaps pending, will serve justice in his case.

[From the Riverside (Calif.) Enterprise, Nov. 21, 1963]

THE OTEPKA CASE

Nobody, but nobody, comes off well in the case of Otto Otepka.

Mr. Otepka, veteran Chief Security Evaluator in the State Department, was caught playing footsie with congressional investigating committees. Not only did he give a Senate subcommittee access to classified personnel files, but he coached committee members in methods of grilling his own superiors.

This is scarcely tolerable behavior, even assuming that Mr. Otepka was operating from the purest of patriotic motives. How can you run a department of government with this concept of internal loyalty?

But in order to complete the evidence on which they fired Mr. Otepka, two of his superiors tapped his telephone, rummaged through his desk and his wastebasket, and then falsely denied that they had done so.

This was sneaky business compounded by perjury, of which the pair may or may not have purged themselves by volunteering to correct their original testimony.

Now these two men, at first sent on leave when the case became sticky, have been allowed to resign. That is gentle treatment for such serious trespasses. Secretary of State Dean Rusk, who admittedly has other worries, nevertheless owed the country a more indignant reaction.

This does not complete the roll of inglorious behavior, however. Some Senators have been overplaying the affair as much as Mr. Rusk has been underplaying it. They have been trying to make a hero out of Mr. Otepka. Shades of the McCarthy era.

The whole thing has been a sorry mess. And it certainly has turned up no heroes.

[From the Terre Haute (Ind.) Star, Nov 20, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that a least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Bridgeport (Conn.) Post, Nov. 16, 1963]

ONLY FACTS ARE NEEDED

Once upon a time, a radio character made famous the phrase: "If it's not one thing—it's the same thing." And, of course there is that ancient French proverb: "The more things change, the more they remain the same."

All of which is an oblique introduction to some views on the case of Otto F. Otepka, erstwhile Security Evaluations Chief of the State Department. Otepka, it will be recalled, was fired last week on charges that he had given confidential data about the Department's operations to the Senate Internal Security Committee's counsel without first obtaining his superiors' consent and approval.

Senators and Members of the House have arisen in what they obviously believe to be righteous wrath, led by Senator THOMAS J. DODD, to defend Otepka and to demand his reinstatement. The State Department, until now, has remained adamant in his dismissal, which he has the right to appeal.

All of this harks back to the McCarthy era and is the basis for referring to the illusion of change. The late Senator Joseph McCarthy, Wisconsin Republican, it will be remembered, even went so far as to appeal on the Senate floor to Federal employees to ignore their bosses' orders and provide him with data he needed to fuel his machine. It was mainly because of such tactics that he eventually was censured by the Senate itself.

On the other side of the coin there is an inscription that requires the rendering to Caesar the things that are Caesar's and in this case, it means information that belongs to the people, or their duly elected representatives. Congressional inquiries are conducted, ostensibly, to obtain information for use in drafting corrective legislation, and the executive department has a duty to provide it, without inforcing rules and regulations that tend to make its officials "squealers" if they feel their higher loyalty rests with the Nation rather than with the bureaucracy.

President Eisenhower evidently thought he had solved the issue when he accepted responsibility for approving the furnishing, or refusing to furnish, sensitive data to Congress, a step in which President Kennedy has concurred. But once again, in the Otepka case, the so-called foolproof solution has been punctured.

There obviously are some areas in which the national security is involved and which it would not be justifiable to publicize. We have enough confidence in the patriotic commonsense of most Members of Congress to believe they would recognize such areas and refrain from invading them. On the other hand, the executive departments, and especially the State Department, are inordinately jealous of guarding "secrets" that may be general property.

The methods apparently used to "get" Otepka are reprehensible, spying on his mail, tapping his telephone, locking his files away from him and similar tactics that smack more of college sophomores than responsible officials to whom our national policy enforcement is entrusted.

In any case, the sooner the Otepka case is cleared, the better everything will be for a while until another official decides to let the Congress "seduce" him.

[From the Sacramento (Calif.) Union, Nov. 18, 1963]

OTEPKA'S "REPREHENSIBLE" OUSTER

Because Otto F. Otepka, veteran career officer, was dedicated to national security and believed Congress ought to know of security failures, the State Department fired him yesterday.

Specifically, he was discharged for giving confidential information to a Senate subcommittee, conduct described as unbecoming an officer of the Department of State.

The confidential information involved data on wretchedly bad advice by official State counselors which contributed to the Government's failure to realize in time that Fidel Castro was a plain Cuban Red.

Is it conduct unbecoming an officer to reveal facts, involving among others William Wieland, a top-ranking State official, and the ill informed, stupid recommendations they made in sugaring over or disclaiming Castro's communism?

Are we to believe it more becoming in the chief security evluation officer of the State Department to hide the shells of grave errors and incompetence?

Congressman H. R. GROSS, of Iowa, called Mr. Otepka's ouster "most reprehensible." He declared the State officer was fired for providing a committee of Congress with information necessary to show that "other officials of Government were not telling the truth."

Acting Chairman DODD of the Senate subcommittee previously stated discharge of Mr. Otepka would be "a great tragedy," indicating State Department is more interested in prosecuting employees who want to clean up the Department than employees accused of practices injurious to naitonal security.

The dismissal of Mr. Otepka, a conscientious and courageous State Department official, is indeed reprehensible. He simply didn't want sleazy security methods in sensitive areas and is convinced, as we are, that far too many dublous characters are ensconced in the Department's advisory echelon.

As to the charge made against him of giving classified information to Congress—that holds about as much water as a cheesecloth sieve.

There is a long tradition that the executive department can withhold some documents from the Senate. This, we submit, cannot govern when the security of the country is at issue.

Congress has a right to make security laws. It cannot possibly do so if it doesn't accurately know the needs.

The Otepka case is not finished. It should be appealed, to the courts if necessary.

What irony to punish him for baring State Department security errors and do nothing about the men who were miserably taken in by the Castro flimflam.

[From the Missoula (Mont.) Missoulian, Nov. 15, 1963]

VERSIONS DIFFER ON OTEPKA'S DIFFICULTY

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Now he has been dismissed from his $16,900 a year job, and a State Department spokesman says Otepka is "out of step with the times. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Democrat, of Connecticut, sees it. As vice chairman of the Senate Internal Security Subcomittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee, and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest, or other wrongdoing in the executive branch of the Government.

Otepka is, of course, entitled to a State Department hearing on the charges. Should the decision be against him, he is entitled to appeal to the President and to the courts.

Should the dismissal be upheld, personnel of the executive branch of the Government undoubtedly will be more reserved in the future in answering questions of congressional investigators.

[From the Green Bay (Wis.) Press-Gazette, Nov. 19, 1963]

HONEST TESTIMONY IN WASHINGTON

Otto F. Otepka, Chief of Valuations in the Security Office of the State Department, was dismissed from the service early this month on charges of conduct unbecoming a State Department officer.

Senator THOMAS J. DODD, Democrat, of Connecticut, took the floor of the Senate to declare Otepka's sole offense was that he had "testified honestly" before the Senate Internal Security Subcommittee about security in the State Department.

Many Senators have been upset over Otepka's dismissal, claiming that if this action should stand, the Senate would thereafter be in a poor position to get honest testimony from any Government employee. Recently, however, three State Department officials have written to the Internal Security Subcommittee asking to change the testimony they gave at a secret subcommittee meeting last July. Their testimony at that time was that they had no knowledge of an attempt to tap Otepka's telephone. All swore they knew nothing of such an attempt.

The officials named as testifying were John F. Reilly, Deputy Assistant Secretary for Security; David I. Belisle, special assistant to Reilly, and Elmer D. Hill, Chief of the Division of Technical Services, Office of Security.

Upon receiving the letters the subcommittee without comment released both the sworn testimony of the three officials and their letters. News reports indicate that the testimony revealed repeated denials that Otepka's phone had been tapped. All three said they had no knowledge whatever of such an attempt.

However, the clarifying letters told a different story. Summarized in news reports the story is that Reilly became suspicious that Otepka might be privately furnishing information to J. Sourwine, chief counsel of the subcommittee. He and his assistant, Belisle, discussed a variety of investigative techniques which might be used to determine whether their suspicions were correct. On March 18, Mr. Reilly asked Hill to "undertake a survey of the feasibility of intercepting conversations in Otepka's office." Hill and Clarence J. Schneider, chief of the technical operations branch, altered the wiring in the telephone in Otepka's office and established a circuit from Otepka's office to the Division of Technical Services laboratory by making additional connections in the existing telephone system wiring.

They declared they were not trying to monitor Otepka's telephone but overhear conversations in his office. Later the telephone system was disconnected as Reilly reported he had found information he was looking for from the examination of Otepka's classified trash basket.

Senator DODD's comment was that "although the State Department official has denied under oath that this was done, the subcommittee has proof that the tap was installed.

"The State Department official who told the untruth is the man who ought to be dismissed. The only man dismissed thus far is the man who told the truth."

Secretary of State Dean Rusk, who is reviewing the Otepka appeal from the dismissal order, should set this matter straight.

[From the Memphis, (Tenn.) Commercial Appeal, Nov. 20, 1963]

NO "BIG BROTHERS"

Otto F. Otepka, a longtime State Department security officer who won particular praise during the tenure of the late Secretary of State John Foster Dulles, fell from favor in the hierarchy headed by Secretary Dean Rusk. He was fired under accusation of leaking information to the Senate Internal Security Subcommittee.

As a result of the ensuing furor, two other State Department security officers were relieved of duty, and subsequently they have resigned. These men, John F. Reilly and Elmer D. Hill, testified under oath before the Internal Security Subcommittee in July and August that they never had bugged the office or telephone of Mr. Otepka or taken papers from his "classified trash." Later they were forced to admit there had been tampering with the Otepka phone and other clandestine efforts to undermine the security conscious official.

The case seemed to raise the issue of whether loyalty to the present high command of the State Department was to be ranked higher than loyalty to country.

Powerful Senators have sided with Mr. Otepka, and their efforts have revealed the shocking interdepartmental ax wielding that made of Otepka a crucificial object.

The resignation of Mr. Reilly and Mr. Hill, who admitted they had not told the Senate Internal Security the full truth, puts the State Department, and the Kennedy administration, on notice that such tactics are not to be condoned by Congress or the public.

It is highly fortunate that this move toward the "big brother" attitude of a totalitarian state has been thwarted in the glare of publicity.

[From the Springfield (Ill.) State Journal, Nov. 22, 1963]

OTEPKA INCIDENT: LOOSENING OF SECURITY

For the life of us we can't understand the reason for the continual dispute between the executive branch of the government and the Congress over matters of security involving U.S. personnel.

Aren't we all for rooting the untrustworthy out of sensitive spots and exposing traitors and spies?

But we read of State Department employees attempting to "bug" the telephone of a security chief of their own branch and quarreling with the Senate Internal Security Subcommittee over confidential information about employees.

Ever since the Kennedy administration has come into office there has been a general loosening of security regulations within governmental departments, and a growing tendency to resent and resist efforts of congressional committees to find out what is going on and why.

The administration continually seeks to hide behind the so-called executive privilege."

The latest incident was dismissal of Otto Otepka, the State Department security officer who was fired for allegedly giving classified information to a Senate committee, and the subsequent suspension of two department employees for giving conflicting evidence on whether they had sought to "listen in" on Mr. Otepka's telephone conversations.

Mr. Otepka's crime is that in testifying before the Senate Internal Security Subcommittee on Loyalty Matters, supposedly as required under civil service legislation, he gave some information he should have kept secret.

This seems an odd way to waste the energies of Government when, as a Navy flag officer pointed out at a recent conference of top defense industry management officials meeting in Pomona, it is obvious the Communists are intensifying their efforts to steal the secrets of the United States.

The admiral's remarks were not in relation to the Washington controversy but in regard to industrial security on the part of management in a time when we "are target No. 1 for all others who are seeking to improve their political, economic, and military position."

In his annual report for the 1963 fiscal year, J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned that the Communist Party in the United States, despite all the legal actions taken against it as a result of FBI investigations, is continuing its untiring efforts to advance the cause of world communism, but again has shifted its tactics.

Its major aim now, the Bureau's report says, "is to convey the impression that Communists are loyal citizens of the United States who merely hold political views which differ from those currently prevailing. They deny any direction from abroad and allege they are seeking change only through legal means."

Thus, under that guise, Communists have been able to invade our campuses and increase their contacts within Government as well as industry.

Instead of fighting each other, the congressional committees and the executive branch had better set about fighting the Communist conspiracy. There should be no secrets from each other regarding loyalties.

[From the Augusta (Ga.) Herald, Nov. 15, 1963]

AFFRONT TO DEMOCRACY ITSELF

If America ever has a dictator, he will not ride into office at the head of a revolutionary parade, preceded by a military coup and followed by a goosestepping private army.

He will assume dictatorial powers little by little: Through reduction of powers of the States, transfer of decisionmaking from the Congress to the White House, intrusion of Government into all areas of the economy, and grabbing of legislative reins from State legislatures and from the Congress by an executive-appointed U.S. Supreme Court—all heralded as social progress.

He will be assisted by departments and bureaus which insist increasingly on rendering allegiance only to the would-be dictator, and not to the voters:

The United States, we Americans always have maintained, comes closest among the world's governments to being a government by the people. Yet in recent years—so many citizens maintain—some of these trends which have been listed as the preliminary steps to a dictatorship have been greatly accelerated.

The latest example of action designed to saddle this Nation eventually with a totalitarian system is in the State Department. This is the Department which in past years has been shown to be a haven for security risks, and which is in a position, because of its field of activity, to compromise the Nation's safety should it employ persons sympathetic to communistic regimes, or who are careless of security. An example of the dangers is apparent in our Nation's complacency while a Communist took control in Cuba.

A clear demonstration that the State Department scorns the people as a source of its authority came recently with the firing of a Department security official, Otto F. Otepka, because he answered questions of the Senate Internal Security Subcommittee. Other Department officials, in order to prove the guilt of Otepka in acknowledging allegiance to the voters' Representatives in the Congress, tapped Otepka's telephone and conducted searches of his wastebasket.

To compound the devious means by which they hoped to enforce statism, they lied to the subcommittee about their snooping and later admitted they lied.

U.S. Senator THOMAS DODD, of Connecticut, calls the State Department's contempt for the subcommittee an affront to the Senate. It is more than that. Since the Senate speaks for the voters who elect its Members, it is an affront to the voters and to democracy as a system of government.

We cannot afford a system of bureaucracy operated along the line of their counterparts in the Kremlin. The most thorough investigation, and the strongest possible action, should be taken in the Otepka case.

[From the Monroe (Mich.) News, Nov. 18, 1963]

STRANGE FEDERAL GOINGS-ON

There was considerable consternation when a Federal official voiced the policy that it was our Government's right—if not obligation—to lie to preserve its position. This philosophy of a new era in Government shocked many an observer. Many, however, just put it down as an imprudent remark that was made off the cuff and had no basis in fact as a method of Federal operations.

But an increasing—and disturbing—number of revelations has been made that gives some credence to the opinion that there are those in Washington who do indeed believe it is all right to lie in order to keep opposition and criticism to a low level.

Take, for example, the case of the Reverend Martin Luther King who, it was charged, was driven around Alabama in transportation supplied by the U.S. Government. During October, when civil rights unrest was at a razorsharp edge, Governor Wallace of Alabama charged that the Justice Department was paying for Reverend King's excursions in Alabama stirring up further unrest. In response, the Justice Department said Governor Wallace's charge was "either a gross mistake or a deliberate attempt to mislead the people." Earlier this month, on the eve of a Dallas (Ala.), County grand jury inquiry, the Justice Department retracted its earlier statement and admitted that a Department lawyer had lent a Government-rented car to a person who drove Reverend King around in it. The Department said Governor Wallace had been correct.

Then there is the case of Otto Otepka, fired State Department security employe. During Senate Internal Security subcommittee hearings Otepka made a number of statements regarding State Department handling of persons alleged to be security risks taken into the Department. Otepka said that Department efforts to humiliate and embarrass him included wiretapping of his office telephone. He named those who he believed to have done the wiretapping. The subcommittee quizzed the three who are supposed to have done the wiretapping. The three vigorously denied the charge. On November 9 the State Department said that two of three later admitted that they lied during the subcommittee hearings and that they had, in fact, attempted to eavesdrop on Otepka's telephone.

These aren't the only two cases of Federal bureaucratic deliberate lying. Others have been revealed. It is this trend that disturbs so many citizens. To be effective a Government has to be believed.

[From the Washington (Pa.) Observer, Nov. 13, 1963]

INFORMATION CHALLENGE

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Dismissed from his $16,900 a year job, a State Department spokesman said Otepka is "out of step with the times. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Connecticut Democrat, sees it. As vice chairman of the subcommittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest, or other wrongdoing in the executive branch. If upheld—Otepka can appeal to the President and the courts if his departmental trial goes against him—it would discourage others from testifying honestly.

[From the Pine Bluff (Ark.) Commercial, Nov. 19, 1963]

THE OTEPKA CASE

The Otepka case is complex enough, certainly, but the heart of the controversy in the case seems to us as simple as it is fundamental.

The basic question posed is whether any Federal employee has the right to disclose information which he holds in trust. Mr. Otepka is alleged by his defenders to have violated State Department regulations in pursuit of a transcendent loyalty to his country. But this defense won't wash. Fundamental to effective security procedures is that no leakage of classified material can be sanctioned—whether the leakage is to the Soviet Embassy or a Senate committee.

Of many objections to the higher loyalty doctrine which can be voiced, the most important is perhaps that the resolution of security problems cannot be left to the individuals directly affected. Mr. Otepka felt impelled by conscience to give confidential information to people not authorized to receive it. Mr. Otepka felt that agents of the U.S. Senate should be the recipients of his confidence. His good judgment in the selection of confidants ought perhaps to be congratulated but we don't see how an exception can be made for those who betray a public trust only with the best people. The next executive employee may feel as strongly impelled by his conscience to give information to the Order of Hibernians, or the Interior Department, or the Ambassador of the United Arab Republic. It should not be forgotten that the real security problems during and just after World War II were with a few people who felt that they were helping the war effort or the establishment of a peaceful world by passing information to our allies, the Russians.

[From the Lewistown (Pa.) Sentinel, Nov. 15, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Indianapolis (Ind.) News, Nov. 18, 1963]

OTEPKA OUSTER FORTHRIGHT STEP

The State Department acted forthrightly and courageously in firing Otto Otepka, its former Chief Security Risk Evaluator, on charges of unbecoming conduct. If the State Department accusations are factual, Otepka is himself a security risk and should not hold a sensitive post. If Otepka thinks they are not, he has ample avenues of appeal.

Otepka, who has been under suspension since September 23, was charged with declassifying and mutilating certain documents and with having prepared questions for the counsel of the Senate Internal Security Subcommittee to ask State Department witnesses. He denied violating the spirit of the departmental regulations. The subcommittee was then investigating State Department attitudes toward Fidel Castro in the period of Castro's rise to power.

The subcommittee, through its vice chairman, Senator THOMAS DODD, Democrat, of Connecticut, strongly supported Otepka, contending that violations, if they occurred, were "technical." They seemed to us, and obviously to the State Department, to be anything but that. And they must have seemed substantive to the White House—President Kennedy promised on October 9

to examine the matter himself when the time came for disciplinary action.

There is more involved here than the activities of Otepka. The question, and it is not a new one, is whether congressional witch hunters are to be allowed to reach down to minor officials in the executive branch and use them to promote their own causes. It is not a question of getting information; that could properly have been obtained through legitimate channels.

A decade ago the State Department knuckled under to Senator Joseph McCarthy on the same issue as the one presented in the Otepka case. We congratulate the Kennedy administration for putting the Senate inquisitors in their place.

[From the Cincinnati (Ohio) Enquirer, Nov. 14, 1963]

THE OTEPKA PLOT THICKENS

Were it not for the vigorous protest lodged by the Senate Judiciary Committee and its Internal Security Subcommittee, Otto F. Otepka would very probably have been driven from Government service in disgrace, and the American people would have known nothing of the circumstances of his humiliation.

Now, however, the State Department, which Mr. Otepka served as Deputy Director of the Office of Security, has granted what is known as administrative leave to two other Department officials directly involved in the Otepka case.

The two officials testified under oath before the Senate Internal Security Subcommittee that they had not installed a tap on Mr. Otepka's telephone while he was still serving as a security evaluator in the State Department. Subsequently, when the committee made it clear that it had evidence to the contrary, they asked permission to amend their testimony.

Hence, pending further inquiry into the question, the State Department has granted them administrative leave.

In this circumstance, alone, there is enormous irony.

Mr. Otepka's grave crime, in the State Department's eyes, is that he testified truthfully before a Senate committee. For this offense, his telephone was tapped, his wastebasket was pilfered, he was locked out of his office, and denied access to his files. His humiliation, in brief, was as ostentatious and complete as the State Department could make it.

The two others in the case, however, who apparently have confessed to lying to a Senate committee, are simply put on administrative leave, drawing their full salaries and knowing nothing of the opprobrium heaped upon Mr. Otepka.

The overriding significance of the entire Otepka case, we believe, is the widespread assumption in official Washington that the threat of Communist infiltration into sensitive area of the U.S. Government is nonexistent.

This conviction, in turn, stems from the article of faith, altogether too widely held in the so-called liberal community, that McCarthyism was a far more loathesome chapter in American history than Hissism or Harry Dexter Whiteism.

There was a time, curiously, when Mr. Kennedy had the courage to speak up against what he called "the Lattimores and the Fairbanks" whose State Department machinations resulted in the loss of China to the free world. But the realism of that, John F. Kennedy seems to be something today's John F. Kennedy is trying to live down.

And the Nation is the loser.

[From the Spokane (Wash.) Spokesman-Review, Nov. 20, 1963]

STATE DEPARTMENT COY OVER OTEPKA

Two officials of the State Department, who first denied and then acknowledged covert efforts to undermine Otto F. Otepka, have now resigned under fire.

Mr. Otepka is the former head of the Evaluation Division of the State Department Security Office. He was fired early this month after a long period of harassment. His major crime which was termed "conduct unbecoming an officer of the State Department" was to pass along to the Senate Internal Security Subcommittee some information which some of his superiors and associates considered confidential.

The loyalty of Mr. Otepka has never been in question. But there now has arisen some question of the loyalties of other State Department personnel who did not like U.S. Senators probing into State Department operations, especially those dealing with the Castro Communists in Cuba.

The Otepka case presents only one aspect of the "mess in Washington" under the present administration. The State Department has been exceedingly coy about the Otepka case because it deals with the very heart of the conduct of American foreign policy.

State Department officials have spent considerable time in the last 3 years in the briefing of selected citizens and so-called opinionmakers—briefing them in the points of view considered acceptable to the American people. But State Department officials have been less than candid in revealing some of the matters that Mr. Otepka thought essential for our national lawmakers to know.

The deception which the two recently resigned officials had practiced before the Senate committee does not speak well for the quality of intellectual honesty which the public has a right to expect. The fact that these two men have quit under fire should stimulate a thorough senatorial check into why and how our foreign policy operations have been conducted with respect to our relations with the international Communist conspiracy.

[From the Savannah (Ga.) News, Nov. 20, 1963]

IS LOYALTY A MISTAKE?

The State Department has dispensed with the services of two officials who lied to a congressional committee about their improper conduct in the Otepka case.

The Department's action was appropriate, but it doesn't clear up all the questions the firing of Otto Otepka has raised. Mr. Otepka's long and faithful service as a security officer is a matter of record, and his dismissal still carries a heavy stench of foul play.

Mr. Otepka's only crime was cooperation with Congress and concern about the Nation's security. If he violated department technicalities, as his critics charge, his transgression hardly equaled those of his persecutors.

The defense being offered for the State Department—that its hirings and firings are not any business of Congress—is no defense at all. The national security is a valid concern for Congress and for the public and so are the credentials of those who serve in key positions. The apparently unjustified dismissal of a loyal and efficient public servant is the business of Congress.

Mr. Otepka appears to be the victim of a vendetta within the State Department. It is ironic that the Department's defenders are those who complain about "witch hunts," and in some cases, those who have helped to shield persons guilty of graver mistakes—if you want to call Mr. Otepka's loyalty that.

[From the New Orleans (La.) Times-Picayune, Nov. 19, 1963]

NO TRADE

The resignation of two high officials in the Security Division of the State Department who figured in the recent dismissal therefrom of Otto F. Otepka, may strike some as a sort of poetic justice trade off.

The immediate cause of the resignations has to do either with belated admission of using or trying to use a wiretap or "listening-bug" in early stages of a checkup on Mr. Otepka; or with early denial or disclaimer of this attempt; or with both.

But behind this development are some other matters involving officials in the Department and Mr. Otepka which still keep alive the question of whether he was justly treated from the inception, and particularly with respect to the main gravamen of the charges against him—the disclosure of nominally "classified" documents, etc.

The Senate Judiciary Committee is very disturbed about the handling of the Otepka affair by the State Department. Leaving aside the matter of congressional-executive relations, the picture that has been drawn, and so far not contradicted, is that of a zealous security officer whose very zeal got him into hot water; of an officer whose only real recourse to protect himself in a situation of conflict in sworn committee testimony was to effect declassification, borderline or otherwise, of certain material. Until these points are cleared up, it cannot be assumed that anything less than reinstatement of Mr. Otepka, apart from resignations made or perhaps pending, will serve justice in his case.

[From the Terre Haute (Ind.) Star, Nov. 20, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humilitated before his fellow employes.

But the heart of the issue is whether a Federal employe should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the United States Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Knoxville (Tenn.) Journal, Nov. 11, 1963]

WRONG PERSON DISCHARGED

Reference has previously been made here to the dismissal of Otto Otepka, a senior security officer of the State Department, because he gave to members of the Senate Judiciary Committee information concerning irregularities and probable illegalities affecting the security of the United States.

On Tuesday, Senator THOMAS H. DODD, Democrat, of Connecticut, asserted that "the dismissal of Mr. Otepka by the Department of State is a serious challenge to re-

sponsible government and to the system of checks and balances on which it is based."

Those American citizens who have tried to keep conversant with the sprawling Department of State since the era of Alger Hiss first brought its security weaknesses into the limelight will suspect there is a good deal more to the firing of this employee than the public yet knows about. After Senator DODD made his speech three State Department officials "came clean" with the Senate committee, admitting that the telephone wiring in Otepka's office was rigged with the purpose of monitoring his conversations with counsel for the Senate body.

The statements of the three State Department employees were volunteered to the committee after Senator DODD had said in a Senate speech that "although a State Department official has denied under oath that this (a phone tap) was done, the Subcommittee on Internal Security has proof that the tap was installed." The three statements agreed that the tap had not actually been used for two reasons. One of these was that it did not work. The second was that a careful scrutiny of Otepka's wastebasket gave his superiors in the State Department the information which they apparently sought.

On the face of it, it looks as if for a few days there was a little perjury involved here where these three State Department officials, who presumably engineered Otepka's firing, were concerned.

Most of us will side with Senator DODD, it is believed, when he said: "An employee of the State Department came to our subcommittee and, under oath, said that the telephone had not been tapped—which was an untruth. This is the man who ought to be subject to charges. When an employee of the Government comes before a congressional committee and either makes willful misstatements or tells untruths under oath, I believe dismissal charges should be preferred against him. But up to the present hour, the man who has been dismissed is the man who told the truth, and so far as I know, the man who told the untruth has not been moved against."

Doesn't the Senator from Connecticut remember where he is—right in the middle of the Kennedy administration's "managed news" operation?

[From the Montgomery (Ala.) Advertiser, Nov. 13 1963]

A SLIGHT CASE OF LYING

Judgment on Otto F. Otepka, the State Department security officer fired last week, will have to be reserved until more evidence and testimony are released to the public. But already the State Department has smudged its case by admittedly lying to the Senate subcommittee that was hearing Otepka.

Last summer, the committee asked John F. Reilly, Otepka's boss, whether any listening devices had been installed in Otepka's office. Reilly's answer: "No, sir."

The committee asked the same of Dewey Hill, another security chief, "No, sir."

This was sworn testimony. After Otepka was fired, Senator DODD said the committee had clear evidence that a listening device was installed in Otepka's office in the hope of catching him passing information to the committee.

After this, Hill and Reilly sent letters to the committee admitting they tried to install a listening device.

Their explanations leave something to be desired. Reilly said he ordered the tap to see if it coul be done "without undue risk of detection." Hill said he made the tap and took it out after 2 days because he couldn't hear anything. Neither of them sought to defend what he did.

One other salient factor is that the State Department keeps saying that Otepka violated an Executive order in passing classified information to the Senate committee. It has not come to grips with his testimony that there are weaknesses in the security system.

On the other hand, the two State Department officials have admitted one lie in their testimony.

[From the Lincoln (Nebr.) Journal, Nov. 12, 1963]

SENSIBLE TURN IN OTEPKA CASE

A glimmer of sense finally is showing up in the topsy-turvy case of Otto Otepka, the State Department security officer dismissed for what his superiors regarded as giving information to the enemy—in this case, to Congress.

In one of the few understandable moves of the whole affair, the State Department has given "administrative leave" to two officials who "bugged" Otepka's telephone and then lied to the Senate about it. They now must stay away from their desks while their activities are examined.

At the same time, Otepka is set to file an appeal of his dismissal order.

It is established that the Senate Internal Security Subcommittee was not given the truth in earlier testimony by John F. Reilly, Deputy Assistant Secretary of State for Security, and his aide, Elmer D. Hill.

Last summer the two men, along with another Reilly assistant, denied before the subcommittee that they had tapped Otepka's phone in an attempt to gain evidence that Otepka was passing information to Members of Congress.

After it became apparent that the subcommittee had learned differently, the three admitted they had tapped Otepka's phone.

In an attempt to excuse their action, they contended that the device was never used and was removed after 48 hours. But the only reason it was removed, it now develops, was that they found the evidence they wanted in Otepka's "burn bag," a depository for confidential material.

All this bolsters the demand of Nebraska Senator ROMAN HRUSKA, a member of the Internal Security Subcommittee, that the men who lied to the subcommittee should be fired, "at a minimum."

The separate, and even graver, issue still centers about Otepka himself. If his dismissal is upheld, no employee of the Federal administration ever would be free to enlist the aid of Congress, even if he were convinced that his superiors were giving jobs to security risks, as was the case with Otepka.

This would be a highly dangerous situation and surely one not sanctioned by any appreciable portion of the U.S. public.

[From the Phoenix (Ariz.) Republic, Nov. 15, 1963]

CONDONING A WITCH HUNT

If it had been discovered that officials of congressional committees investigating Communist influence in the Government had attached an electronic eavesdropping device to the telephone of a loyal U.S. employee, the Nation's newspapers, radio, and television networks would be up in arms.

Yet although two State Department officials recently admitted that they attached just such a device to the telephone of Otto F. Otepka, former Chief Security Evaluation Officer of the State Department, there has been little or no protest from the Nation's most conspicuous opinion moulders.

The reason for the silence—even though the pair, in secret sworn testimony to the Senate Internal Security Subcommittee, previously denied knowledge of the installation of a listening device in Otepka's office—is that the investigators were not checking on Otepka's loyalty to the United States. They were looking for a way to get rid of Otepka because of his testimony before a congressional committee in which he furnished information about lax security procedures in the State Department.

Therefore, those who cry loudest about congressional "witch hunts" now find themselves in the position—because of their failure to protest the illegal harassment of Otto Otepka—of condoning a witch hunt carried out by high State Department officials.

As Senator THOMAS DODD commented, the State Department should prefer charges against its own gumshoers, rather than against Otepka.

[From the Richmond (Va.) News Leader, Nov. 13, 1963]

IT'S CLARIFYING, ALL RIGHT

An official printed transcript has just come to hand of the testimony given under oath before the Senate Internal Security Subcommittee by John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer D. Hill, head of the Division of Technical Services in Mr. Reilly's office.

The two men are now under what is euphemistically termed "administrative leave." This means that the taxpayers continue to pay their salary though the pair do no work, pending a departmental investigation of their conduct in the Otepka case. The immediate question is whether the two men committed perjury in testifying before the committee last summer, during the course of an investigation into the dismissal of Otto Otepka, veteran State Department security officer.

The following questions and answers are reported as to Mr. Hill on July 9:

Mr. SOURWINE (committee counsel). Do you know of any instance where a listening device has been placed in an employee's office?

"Mr. HILL. Not to my knowledge.

"Mr. SOURWINE. Specifically, did you ever have anything to do with tapping the telephone of Mr. Otepka?

"Mr. HILL. No sir."

On November 6, nearly 4 full months after he so testified, Mr. Reilly wrote a letter to Senator EASTLAND, committee chairman. It should be noted that the committee's staff had been busily investigating various angles of the Otepka case throughout this period. Now, in November, Mr. Hill reached an interesting conclusion: He concluded that mention of an incident which occurred last March "would serve to clarify my responses to Mr. Sourwine's questions." In his letter of clarification, Mr. Hill says this:

"On Monday, March 18, 1963, Mr. John F. Reilly * * * asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. That evening Mr. Clarence J. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office."

Mr. Reilly had testified under oath on August 6. At that time, this colloquy took place:

"Mr. SOURWINE. Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?

"Mr. REILLY. No, sir.

"Mr. SOURWINE. You never did?

"Mr. REILLY. That is right, sir.

"Mr. SOURWINE. Specifically in the case of Mr. Otepka you did not do so?

"Mr. REILLY. That is correct, sir.

On November 6, precisely 3 months later, Mr. Reilly also was struck with second thoughts. Now he would like "to amplify my testimony." In a statement to Senator EASTLAND, he added this amplification:

"On March 18 * * * I asked Mr. Elmer D. Hill * * * to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office. On March 19, Mr. Hill told me that he and Mr. Schneider * * * had

conducted a feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Division of Technical Services laboratory."

When the wretched John Profumo was caught lying in the House of Commons last spring, in the midst of the Keeler case, there was never the slightest question of his instant resignation from the British Government. He was o-u-t. Here we seem to view questions of honor rather differently. The strangest aspect of this whole Otepka case, so far, is that Messrs. Hill and Reilly are still on the payroll, and Otto Otepka, whose only sin was to assist the U.S. Senate, is the only one fired. If the U.S. Senate does not force a showdown in the Hill-Reilly case, the U.S. Senate will have degenerated into a far feebler body than the powerful institution we believe it to be.

[From the San Antonio (Tex.) News, Nov. 12, 1963]

LEAKY MEMORIES IN TOO-HIGH PLACES

The public is permitted a brief glimpse into the inner workings of the State Department as a result of dismissal of Otto F. Otepka, veteran department security officer.

He was fired on charges of unbecoming conduct, with the principal accusation being he supplied confidential employee loyalty information to the U.S. Senate Internal Security Subcommittee.

In the course of the Senate panel's investigation, department authorities disclaimed any knowledge of a listening device having been placed on Otepka's telephone. Under the baleful eye of Senate investigators, the officials refreshed their memories later and decided such a device had been employed, but that it didn't work well.

The bold loss of memory under oath by highly placed members of the executive branch of Government should not be condoned by the Senate subcommittee. Strong effort should be made to punish the uncooperative witnesses and to bar them from responsible positions.

An extensive investigation of the Otepka incident should be conducted to see what further cloak-and-dagger revelations are forthcoming. The firing of the department security officer suggests—as only one possibility—that security risks in the Department scored a victory.

Or, if the dismissal stemmed from intradepartmental politics, the public and the Senate internal security panel are entitled to know, with full, truthful answers to the original questions.

[From the Vicksburg (Miss.) Post, Nov. 17, 1963]

ANOTHER TYPE OF FOREIGN AID

While the debate goes on in the Senate on the foreign aid bill, the one which involves an outlay of money, there is another type of foreign aid which has been disclosed in a report issued by the Senate Internal Security Subcommittee of which Senator JAMES O. EASTLAND is chairman. It involves the rapid strides which Russia is making toward the expansion of her maritime fleet, and also displays the deterioration of our own strength in that area. While we have been so busy bolstering up foreign nations, our own lifeline, our merchant shipping, has been allowed to steadily decrease. The figures of the committee are somewhat alarming, and they should be a matter of deep concern to the Congress and to the administration.

According to the report, in 1950, the Russians had a total of 432 merchant ships, which represented 1,797,000 deadweight tons. At that time the United States had 1,090 ships, 13,440,000 tons. This was a ratio of 2½ to 1 in our favor in the number of ships and a 7 to 1 advantage in deadweight. By 1962 this advantage had been filtered down, and by December 31, 1962, Russia had 1,002 ships as compared to 843 of the United States.

[From the Pittsburgh (Pa.) Press, Nov. 13, 1963]

DISCORD AT STAKE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD, of Connecticut, and EASTLAND, of Mississippi, consider the case a test of the powers of Congress as opposed to the executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Des Moines (Iowa) Register, Nov. 13, 1963]

UNTRUTHFUL TESTIMONY

Whatever the rights of executive privilege to withhold certain information from Congress—and every administration in recent years has been out of line in trying to conceal embarrassing situations by such claims—there can be no defense for giving false or deliberately misleading testimony to congressional investigators.

This is why the Kennedy administration now is faced with the problem what action to take against three State Department officials. The officials testified under oath before the Senate Internal Security Subcommittee that they had no knowledge of tapping the telephone wires of Otto F. Otepka, who was dismissed last week as chief security evaluations officer in the State Department.

The Senate committee had information about the wiretapping incident and made this public after the officials had testified. Two officials thereupon made additional statements to "amplify" and "clarify" their testimony. The amplification and clarification made it clear that their earlier testimony was deliberately misleading.

There have been no charges, or indications, that either the President or Secretary of State Dean Rusk had knowledge of the wiretapping or the falsification of testimony. They, of course, have the responsibility of disciplining the guilty individuals. Indications are that Rusk will ask for the resignation of at least two of the officials. One of them, John F. Reilly, Deputy Assistant Secretary of State for Security, now accepts full responsibility for the telephone tapping incident.

Reilly and his assistants wanted to fire Otepka because of disagreement about security policy and because Otepka was giving information to the Senate investigating committee. They claim Otepka was releasing confidential information.

Otepka may have been guilty of doing this, which would give the State Department cause to oust him. Whether the information he gave investigators was properly classified as confidential is a question that can't be answered at this time. This has a bearing on Otepka's conduct. He apparently takes the view, judging by his comments, that out of loyalty to his country, he felt impelled to give information to investigators, that the State Department was attempting to conceal. The investigation may throw more light on his phase of the case.

The Senate committee apparently thinks there has been laxity, or too much "softness," in security matters. It believes the Department isn't living up to the standards provided by law. Whether this view, which is also the view of Otepka, is correct or not, State Department officials have made serious errors in harassment of Otepka and in misleading a congressional committee. The State Department will be making equally serious errors if it does not give the investigators all information essential for the study and if it does not get rid of those employees who have misled the investigating committee.

[From the Abilene (Tex.) Reporter News, Nov. 12, 1963]

LYING IN HIGH PLACES HARMS CONFIDENCE IN GOVERNMENT

In Alabama, the Justice Department denied that one of its rented cars was loaned to the Rev. Martin Luther King and two others to drive from Birmingham to Selma.

Later, the Justice Department admitted that one of its attorneys did, in fact, loan such a car for that purpose. The Department said the attorney had since resigned.

Two Alabama grand juries, at Montgomery and Selma, are nevertheless investigating.

In Washington, three State Department officials denied under oath before a Senate subcommittee any knowledge that listening devices had been installed in the office of Otto F. Otepka. Otepka is a veteran State Department security officer who was fired, over protests of some Senators, on the charge that he supplied them with confidential information from employee loyalty files.

Late last week, the three State Department men sent statements to the Senate subcommittee admitting that they did know that listening devices had been installed in Otepka's office.

They said no actual interception of conversations had taken place, none was authorized, and the wiring on Otepka's phone was disconnected within 48 hours after a test of the reception showed it unworkable. It can be presumed that if the contraption had worked, it would have been used.

The moral to be drawn from these two incidents is obvious.

Senator THOMAS J. DODD, Democrat, of Connecticut, of the Senate Internal Security Subcommitee, draws it well. He said:

"This is a shocking matter. The [State] Department ought to move on this—and quickly. When three officials of the State Department admit, in effect, that they lied

under oath to a Senate committee, every American and every Member of Congress ought to be concerned.

"These are the fellows the State Department should prefer charges against, not Otepka."

The Senate subcommittee should turn its information over to a Federal grand jury and press for perjury indictments against the trio.

We have come to the time when occurrences such as the ones cited here, while not everyday happenstances, are common enough that the confidence of the public in its Government is being eroded.

The State Department should, without any coaxing, move immediately to dismiss the three officials involved, and any of their superiors who might have had knowledge of their perjured Senate testimony. Anything less will leave serious doubts of integrity in the public mind.

[From the Austin (Tex.) Statesman, Nov. 13, 1963]

INFORMATION CHALLENGE

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Dismissed from his $16,900 a year job, a State Department spokesman said Otepka is "out of step with the time. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Connecticut Democrat, sees it. As vice chairman of the Senate Internal Security Subcommittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest or other wrongdoing in the executive branch.

[From the Sioux City (Iowa) Journal, Nov. 14, 1963]

THE OTEPKA CASE

Otto F. Otepka, the security officer who was dismissed by the State Department for insubordination as a result of his giving to a congressional committee certain information the Department regarded as classified, must file his appeal from the Department decision this week if he intends to do it at all. There is every reason for his being encouraged to file somewhere in protest at what seems to have been a basically wrong decision.

If we understand the circumstances of the case accurately, Mr. Otepka furnished to a congressional group that is legally entitled to the information, certain facts about State Department security procedures. But long before that he was resented by some of the Department's personnel, apparently because of his relatively tough ideas that security measures should be tight instead of loose, and hard instead of soft. We gather the basic trouble in his case is that he refused to go along with watered down security measures that others in the Department, including his immediate superiors, desired to see in effect.

Considering the sad state of "security" in our own Government and that of Great Britain, as suggested by the headlines over recent months and years, the dismissed security officer is much more right than wrong. We hope he does appeal, and if the Department ruling continues against him, we hope he takes it on to the Civil Service Commission and to the courts. Apparently he was within his rights to do what he did, even though it was contrary to some of the Department's wishes. On that basis he should fight for the principle under which he acted, and on that basis he should have all the help he can get in that fight.

[From the Monroe (La.) News-Star, Nov. 13, 1963]

TAPS FOR WIRETAPPERS?

The case of Otto Otepka, recently discharged State Department security official, has received a certain amount of coverage in the wire service news releases if readers worked their way past the first four paragraphs. Now it appears more persons may become involved.

Otepka was finally told he was guilty of conduct "unbecoming" a diplomat because he gave information on the State Department's emergency security clearance policies to a Senate subcommittee.

At least part of the material used by the Department as a basis for firing Otepka was obtained through wiretapping. So now, the agency has placed two more officials on administrative leave for having given out the information that wiretapping was carried out.

Prior to his own discharge, Otepka was on such administrative leave for several weeks. Now, his former superior, Deputy Assistant Secretary of State John F. Reilly, and Chief of the Division of Technical Services in the Office of Security, Dewey Hill, will also go on administrative leave.

A State Department spokesman said the move making Reilly's and Hill's suspensions effective on Tuesday of this week was a result of a "complicated and potentially serious" matter.

But viewed from a distance, the dismissal of Otepka appears to have resulted from his telling the Senate Investigations Subcommittee that there were certain laxities in the emergency security clearance for State Department employees since 1961.

[From the Ansonia (Conn.) Sentinel, Nov. 15, 1963]

PERJURY?

Because he allegedly talked too freely to members of a U.S. Senate commitee, Otto F. Otepka, a highly valuable and experienced security officer of the State Department has been unceremoniously "fired."

A couple of witnesses from the State Department testified under oath before a committee of the Senate that Secretary Rusk's Department had not attached a wiretap to his phone. The State Department now concedes that Otepka's phone had been tapped and that they knew it when they swore it had not been. Senator DODD has urged a full dress inquiry into this apparent perjury and the reasons for Otepka's firing. The State Department answered by sending a couple of Otepka's former associates on "administrative leave."

Well, why not a full dress inquiry to clear this thing up? Do representatives of the State Department enjoy a privilege of making deliberately untrue statements when under oath?

[From the Greensboro (N.C.) News, Nov. 16, 1963]

BIG BROTHER IN FOGGY BOTTOM

Last week, if the gentle reader will recall, Congress was celebrating "Otepka Day" when howls of anguish penetrated the environs of Congress because of the firing of a State Department official who had been leaking classified information to the Senate Internal Security Subcommittee.

This week Washington is observing "wiretapping day" as Otto Otepka's superiors find themselves on the hotseat for bugging his office and inspecting his trash baskets to indict him, then lying about it.

The sad part about all these proceedings is the atmosphere of big brotherism evident in the glistening offices and halls of Foggy Bottom.

Otto Otepka deserved to be fired for exposing classified information. And his superiors—John F. Reilly, Deputy Assistant Secretary for Security; David I. Belisle, special assistant to Reilly, and Elmer D. Hill, Chief of Technical Services in the State Department's Security Office—have shown their unfitness for their jobs as well.

Security may be messy business. It invariably requires snooping. But it emphatically does not require officials who engage in the Kremlinesque tactics of wiretapping followed by the big lie.

No wonder a whole passel of American citizens are beginning to worry about the police state.

[From the Vicksburg (Miss.) Post, Nov. 13, 1963]

BUREAUCRATS IN ACTION

Our State Department, which urgently needs investigating and a complete overhauling, is a perfect example of arrogant bureaucratic action. Otto F. Otepka, a veteran security officer of the Department, was dismissed on charges of unbecoming conduct. His biggest crime was supplying the Senate Internal Security Subcommittee with information from confidential files covering employees loyalty. Then three State Department officials testified before the committee that there had been no rigging of telephones wires in Otepka's office, to thus enable eavesdropping. Now, the testimony is reversed, and it is admitted that the rigging was done, but "no actual interception of conversations took place."

First of all, is it within the realm of our form of Government that an executive department can be a law unto itself, and refuse to give a committee of the U.S. Senate, composed of elected representatives of the people information, regarding the loyalty of any person within that department? Then, to dismiss an officer with a long record of service, branding him as one charged with "unbecoming conduct," because he so testified, is designed to circumvent the efforts of the committee in seeking to smoke out those in our governmental agencies whose loyalty is suspect.

Further, it is now announced that two Department officials have been put on indefinite leave, for their part in this fiasco. Was it because they testified falsely, in the first place? Or, instead, was it because they finally had the courage to come out with the truth?

This Nation is in a sad state of affairs when the people of the Nation, through their elected representatives, are denied the truth about employees of any department of the Government. The conclusion must be drawn that the State Department fears that disclosure to the Senate committee will verify the strong suspicion which has been held by many that the security of the Nation is endangered because of loyalty risks. Instead of blocking the efforts of the Eastland committee, there should be open and full cooperation to the end that no one with the slightest suspicion of disloyalty should be retained, particularly on a sensitive job in a department as important as the State Department.

This matter should make it clear that bureaucrats are not elected officials, and should respond when called to task by those who directly represent the people. Otherwise, the continuing process of bureaucratic rule will finally engulf us. The Senate Internal Security Subcommittee has performed a wonderful service to the Nation in exposing those who are not loyal. Above everything

else, the arrogance and disregard of the rights of our people to the truth, as exercised by so many of the intrenched bureau chiefs and their subordinates, should be displayed to the Nation, so that a resultant cleanout of all who persist in this type of action will be demanded by the public.

The latest State Department mess smells to high heavens, and even that is a charitable statement.

[From the Bismarck (N. Dak.) Tribune, Nov. 14, 1963]

AN IMPORTANT RIGHT AT STAKE

The current dispute over the firing of a State Department employee because he allegedly gave information to a Senate subcommittee may indicate why a "freedom of information" bill now pending in the Senate is important.

One Otto F. Otepka, chief of the evaluation division of the Department's Office of Security, was fired because he answered questions of a Senate subcommittee.

Senators regard his firing as an attempt to muzzle State Department witnesses before Senate committees by showing them the consequences of testimony not agreeable to their State Department superiors.

If it is possible to keep Members, or committees, of Congress, or the Senate and the House themselves, from getting at the truth of what goes on in the executive branch, what chance do the people have to get at the truth?

The "freedom of information" proposal is aimed to clarify and protect the public's right to information about the operation of governmental agencies. It would amend the Administrative Procedures Act of 1946, which ostensibly was intended to keep government agencies from imposing secrecy on administration actions but which, it is feared, has been twisted to do the opposite.

Examples of this subversion of the public's right to know have been given:

A list of private offices rented by the Federal Government in Philadelphia was denied the public because the information from the landlords was confidential.

The names of persons granted the privilege of a Federal export license are withheld because the information filed to qualify for the privilege is "submitted in confidence."

Details of compromise settlements of liquor law violations were covered up because they involved material of a "secret nature."

The list is long, and none of the items are even remotely related to national security. One was a security item in reverse, however.

In the latter case, Senator WILLIAMS of Delaware referred to the Agency for International Development a report which charged that under our foreign aid program we were furnishing gasoline for use by Soviet planes flying to Cuba. He received a reply denying the allegation—but the reply he received was marked "secret" and therefore could not be made public.

Not even Congress, which provides the funds these bureaucrats spend, can get the information it ought to have to guide its deliberations and decisions.

Anyone who is interested in the preservation of the democratic system of government has an interest in the information amendment. A government which can operate in secrecy can operate free of responsibility to its people. They can't exert a check on it if they can't know what it's doing. Involved is a fundamental right which badly needs protection.

[From the Greenville (S.C.) Piedmont, Nov. 18, 1963]

REPERCUSSIONS ON OTEPKA

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Hopkinsville (Ky.) Kentucky New Era, Nov. 16, 1963]

OTEPKA TALKS

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[From the Winston-Salem (N.C.) Journal, Nov. 14, 1963]

A CASE OF CONFUSED LOYALTIES

Unfortunately, the controversy surrounding the dismissal of Otto F. Otepka from a State Department job has been clouded by the disclosure that Mr. Otepka was the victim of electronic eavesdropping by security officers in the Department.

To make matters worse, the eavesdroppers had testified earlier that they knew nothing about the installation of a listening device in Mr. Otepka's office.

Such blunders as these make it difficult for the Department's reasons for dismissing Mr. Otepka to be considered on their merits. Yet, if the charges against Mr. Otepka are true, there is solid justification, based on well-established precedent, for his dismissal.

Mr. Otepka, who had been with the State Department for 10 years, was chief of the Evaluation Division of the Department's Office of Security. He was charged with giving the Senate Internal Security Subcommittee information from loyalty files that can be released only with personal approval of the President, because of the damaging character of the information. If he wishes, Mr. Otepka may appeal the dismissal.

The firing of Mr. Otepka has brought anguished cries from some Members of Congress. Senator DODD of Connecticut charged that Mr. Otepka did no more than to cooperate with the subcommittee and provide it with information "that some of his superiors found embarrassing or objectionable."

The feud between executive departments and congressional investigators dates back many years.

The House Un-American Activities Committee, seeking information in 1948 about the loyalty of a Government employe, instructed the Secretary of Commerce to transmit to it the full text of a letter from J. Edgar Hoover, director of the Federal Bureau of Investigation, reporting on the employee. The committee was rebuffed by President Truman, who ordered all Federal officials to reject any request from Congress for material from the loyalty files. He said the request should be referred to him for such response as he might determine to be in the public interest.

Similarly, President Eisenhower refused to give the late Senator McCarthy access to privileged papers relating to the loyalty of Army personnel.

Mr. Truman's order, which is still in effect, was cited by the State Department as the basis for Mr. Otepka's dismissal.

Mr. Otepka, as a veteran security officer in the State Department, surely was aware of his obligation to safeguard confidential information which only the President is authorized to release. Yet he professed a "higher loyalty" to tell the truth, overriding the "letter" of any regulations. On this basis, he slipped information from loyalty files to the counsel of the Internal Security Subcommittee.

The trouble with Mr. Otepka's reasoning is that he had his loyalties confused. As an employee of the executive branch of Government, Mr. Otepka's primary obligation was to abide by the rules governing communications within the executive branch. Congress has never contested the validity of those rules. It can hardly condone a breach of the rules, even by an employee who did one of its committees a favor.

[From the Atlantic City (N.J.) Press, Nov. 15, 1963]

COVERUP CHARGED IN STATE DEPARTMENT

Three State Department officials are in trouble—and two of them have been "furloughed"—because they willfully deceived a Senate committee. At the same time, Otto Otepka, until recently the chief security evaluations officer at State, is fighting to get back his job. The State Department reluctantly acted against the three officials—and only after some pretty strong language from Senator THOMAS DODD of Connecticut. It acted ruthlessly against Otepka, whose only crime was to obey the law by cooperating with the Senate Internal Security Subcommittee then probing lax security procedures in the sievelike State Department.

What this proves is that the Department remains unchanged. It continues to think of itself as a private club, privileged above ordinary society. It continues to act as if it were more important to cover up its misdeeds than

it is to think in terms of the national security.

The Otepka case is important because the man was treated unjustly But it is also one more exhibit in a lengthy list which shows that US. officials cannot seem to understand the dangers of bad security. The State Department is still doing its best to hush up the scandal—and for a while it reportedly had cooperation from Senator JAMES O EASTLAND, chairman of the Senate Judiciary Committee, which is parent to Internal Security.

It was Senator DODD who forced into the open some of the more unsavory aspects of the Department's treatment of Otepka. In this way he made it impossible for the Senate Internal Security Subcommittee to sit on evidence in its files.

On July 9, 1963, Elmer Dewey Hill, chief of the Division of Technical Services, testified under oath before the Senate subcommittee as follows:

"Question. Do you know of a single instance in which the Department has ever listened in on the telephone of an employee?

"Answer. I cannot recall such an instance.

"Question. Do you know of any instances where a listening device has been placed in an employee's office?

"Answer. Not to my knowledge. * * * I have never engaged in this—in that type of security measure * * *

"Question. Did you ever have anything to do with placing a listening device in Mr. Otepka's office?

"Answer. No, sir."

On November 6, 1963, after Senator DODD had begun to make his charges of perjury against unnamed State Department officials, Hill wrote to the subcommittee amplifying his testimony of July. Hear this:

"On Monday, March 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. * * * Later that day I discussed the technical aspects of this matter with Mr. Clarence J. Schneider. * * * We agreed on the approach to be used. * * * That evening Mr. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office. We then established a circuit from Mr. Otepka's office to the Division of Technical Services Laboratory by making additional connections in the existing telephone system wiring. (We) tested the system and found we would be unable to overhear conversations in Mr. Otepka's office * * * because electrical interference produced a loud buzzing sound. * * * I reported our unsuccessful effort to Mr. Reilly the following morning. Mr. Schneider has told me that during that day he asked an officer in the Division of Domestic Operations * * * whether he had, or knew where to acquire, equipment which would eliminate such a buzzing sound."

This is only a part of the story. I will return to it in my next column.

[From the Annapolis (Md.) Capital, Nov. 20, 1963]

OTEPKA REPERCUSSIONS

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Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

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But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Milwaukee Sentinel, Nov. 16 1963]

SECRET TRASH

It may be no laughing matter, but one can't help being amused by what goes on under the name of security in the State Department.

A peek into this box of suspicion and intrigue is provided by a reading of the revised testimony offered by three State Department agents to a Senate subcommittee looking into the case of Otto F. Otepka, dismissed State Department security officer.

In the course of correcting (amplifying, they call it) earlier answers to committee questions about "bugging" Otepka's telephone, the three agents reveal how operatives on our side spy on each other.

For example, John F. Reilly relates how he spied on Otepka, whom he suspected of "illegally" giving information to the Senate Internal Subcommittee. First, he said, he decided that the best technique would be to recover and examine Otepka's "classified trash from his burn bag." This was done on March 14, but nothing of significance was revealed.

Next, Reilly arranged to have undertaken "a survey of the feasibility of intercepting conversations in Mr. Otepka's office." "I made it clear," he adds, "that I was not authorizing the actual interception of any conversations. Rather, I desired to know whether this technique could be used without undue risk of detection in the event that subsequent examination of Mr. Otepka's burn bags continued to reveal nothing of significance."

On March 19, Reilly says, he was informed that a "feasibility survey" had been conducted by connecting spare telephone wires from Otepka's phone to the division of technical services laboratory. He said he was also informed that the system attempted had not proved successful when tested and that it was uncertain whether it could be made to work. "I made it clear," he says, "that I did not wish any conversations to be intercepted at that time."

Later the same day, Reilly said, a second bag of Otepka's classified trash was recovered and examined. "Its contents revealed that Mr. Otepka had furnished certain material to Mr. Sourwine (the committee's counsel)," he said, adding that he then ordered the telephone tap disconnected.

Reilly testified that he understood Otepka had his telephone system checked, but that no evidence was found that it was tapped. Sounding somewhat plaintive, he concluded by saying that he and a colleague "have both noticed unusual sound phenomena on our telephones and have had our telephone systems checked" but that "these checks have not produced any evidence that our telephone systems had been interfered with."

So goes the life of insecurity in State Department security. One can only hope that our security is as zealously protected from outsiders as it seems to be from insiders. It would be funny, if one weren't left with the uneasy feeling that the real threats to security are being neglected while the security officers are spying on each other.

[From the Jackson (Miss.) Clarion-Ledger, Nov. 17, 1963]

ARROGANT CHALLENGE TO POWER OF CONGRESS IS CONTEMPT FOR PUBLIC

The U.S. State Department dismissal of Otto F. Otepka, its Chief Security Evaluations Officer, is not only a serious blow to the Nation's internal security but also poses a direct and brazen challenge to the authority of Congress.

Senator JAMES O. EASTLAND, of Mississippi, chairman of the Senate Internal Security Subcommittee made this point clear when he said: "The powers of Congress are at stake and I intend to protect Mr. Otepka by every means at my command against accusations which complain, in effect, that he told the truth when asked to do so by our Senate subcommittee.

State Department action in firing Mr. Otepka has shown obvious contempt for the perogatives of the Senate and alarming indifference to security risks within the Department. Mr. Otepka, victim of this outrageous purge, is a veteran of 27 years of Government service.

For the past decade or so, Mr. Otepka has been the official who gave securtiy clearances to State Department personnel. His ability in this key post is quite evident from the fact that several years ago he was awarded the State Department's special award for meritorious service.

Because Mr. Otepka testified before the Eastland Internal Security Subcommittee, leftists and pinkos in the State Department decided to give him the bum's rush. He was accused of disclosing Department secrets to a duly authorized inquiry by Congress, into matters directly affecting national security.

In the words of an arrogant bigwig of the Dean Rusk hierarchy, Otepka "is out of step with the times. We no longer hunt witches. We have no security problems and he knows it." The Senate subcommittee's reaction has been one of skepticism—mindful that the State Department has aided the rise of Fidel Castro, promoted aid projects for Red-controlled nations, and otherwise given aid and comfort to international communism.

Nor is it likely that Senate—and public—skepticism can be allayed by the Department's clumsy, belated effort to make amends by suspending (at full pay) a couple of insignificant underlings who have aided in the persecution and harassment of Otto F. Otepka because he cooperated with Congress.

In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprits; and the words "security violation" have come to mean not the act of turning over information to a foreign power but the act of giving information to a committee of the U.S. Senate.

If Mr. Otepka's dismissal is permitted to stand, it will be very difficult if not impossible to elicit any information from workers in the executive department that bears on disloyalty, malfeasance, conflict of interest, other wrongdoing by their superiors.

It is not enough that the Civil Service Commission will review the Otepka case and that President Kennedy has promised to look into the matter. Congress itself—and particularly the Senate Internal Security Subcommittee—must insist on a complete reversal of this unjust State Department action and assurances that the legal authority

of our legislative branch will be respected henceforth.

[From the Birmingham (Ala.) News, Nov. 11, 1963]

TWO EAVESDROPPERS GO ON LEAVE

Two of three State Department officials who have acknowledged that the telephone wiring in Otto F. Otepka's office was rigged for eavesdropping will go on administrative leave Tuesday.

Meanwhile, the Department has launched an inquiry into the incident and said it will move as promptly as possible.

Going on indefinite leave, depending on the termination of the inquiry, a Department source said are John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer Dewey Hill, Chief of the Division of Technical Services in the Department's Office of Security.

They and David I. Belisle, Reilly's special assistant, have told the Senate Internal Security Subcommittee that wires were connected to Otepka's telephone to permit eavesdropping on conversations.

They also said no actual interception of conversation took place and that the wiring was disconnected after a test showed it unworkable.

[From the Jefferson City (Mo.) Capital News, Nov. 9, 1963]

THE FIRING OF GOOD OFFICIAL

(From St. Louis Globe-Democrat)

Because Otto F. Otepka, veteran career officer, was dedicated to national security and believed Congress ought to know of security failures, the State Department fired him Wednesday.

Specifically, he was discharged for giving confidential information to a Senate subcommittee, conduct described as "unbecoming an officer" of the Department of State.

The confidential information involved data on wretchedly bad advice by official State counselors which contributed to the Government's failure to realize in time that Fidel Castro was a plain Cuban Red.

Is it conduct unbecoming an officer to reveal facts, involving among others William Wieland, a top-ranking State official, and the ill-informed, stupid recommendations they made in sugaring over or disclaiming Castro's communism?

Are we to believe it more becoming in the Chief Security Evaluation Officer of the State Department to hide the shells of grave errors and incompetence?

Congressman H. R. GROSS, of Iowa, called Mr. Otepka's ouster most reprehensible. He declared the State officer was fired for providing a committee of Congress with information necessary to show that "other officials of Government were not telling the truth."

Acting Chairman DODD of the Senate subcommittee previously stated discharge of Mr. Otepka would be a great tragedy, indicating State Department is more interested in prosecuting employees who want to clean up the Department than employees accused of practices injurious to national security.

The dismissal of Mr. Otepka, a conscientious and courageous State Department official, is indeed reprehensible. He simply didn't want sleazy security methods in sensitive areas and is convinced, as we are, that far too many dubious characters are ensconced in the Department's advisory echelon.

As to the charge made against him of giving classified information to Congress—that holds about as much water as a cheesecloth sieve.

There is a long tradition that the executive department can withhold some documents from the Senate. This, we submit, cannot govern when the security of the country is at issue.

Congress has a right to make security laws. It cannot possibly do so if it doesn't accurately know the needs.

The Otepka case is not finished. It should be appealed, to the courts if necessary.

What irony to punish him for baring State Department security errors and do nothing about the men who were miserably taken in by the Castro flimflam.

[From the Kokomo (Ind.) Tribune, Nov. 8, 1963]

A FIRING IN WASHINGTON

Has the State Department erred in firing 48-year-old Otto Otepka, a veteran of 27 years of Government service? It discharged him this week for disclosing lax security conditions in the division he headed.

Otepka was responsible for giving security clearances to employees of the State Department. He checked on the background of applicants for jobs in the Department to determine whether they were security risks.

He must have been an efficient official, for in 1958 he received the Department's award for meritorious service.

The Department asserts that he engaged in conduct unbecoming a diplomatic officer—namely, collaborating with the Senate Security Subcommittee by informing it of what he regarded as security risks.

Senator DODD, Connecticut Democrat, charges the State Department with interpreting "security violations" not as the act of turning over information to an alien power but as the act of giving information to a Senate committee.

If what Otepka did was warn the Senate of persons he considered risky, he may have gone over the heads of his superiors. That is always a questionable procedure for a subordinate to engage in, but if Otepka was convinced that his superiors were not taking sufficient action in cases of doubtful loyalty it is difficult to see where he was doing the country a disservice.

As Senator DODD says, "the right of Government employees to furnish information is established by the U.S. statutes."

Otepka's dismissal is subject to review by Secretary of State Rusk, and Mr. Rusk's decision will be awaited with much interest. In Senator DODD's words, "if the dismissal stands, it will be impossible, or exceedingly difficult, to elicit any information from employees of the executive branch about disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors."

[From the Augusta (Ga.) Chronicle, Nov. 8, 1963]

WHAT KIND OF LOGIC IS THIS?

The firing of the State Department's chief evaluator of security risks demands not only the routine hearing and review by the Civil Service Commission that he has been promised, but a full congressional inquiry as well.

On the surface, it appears that Otto F. Otepka's only crime was, in reality, his determination that appropriate action be taken in situations involving security risks in the State Department. Apparently stymied in his efforts to get action within his own Department, Otepka gave the information he had to the subcommittee. For this he was guilty of giving confidential information to Senate investigators and fired on charges of conduct unbecoming an officer of the Department of State.

Thus a man who occupied one of the most sensitive posts in our Government appears to have been fired not for incompetence, but for being too competent in his resolution that no security risks would be tolerated in the supersecret chambers of the State Department. He was fired because he disclosed confidential information to Senators whose access to classified data is well-established, Senators whose committee is motivated by the same antisecurity risk drive possessed by Otepka.

Perhaps Otepka violated some rule or regulation of the State Department. But what kind of logic is it that permits the detective to be fired on a technicality while the clues to identity of a potential criminal are swept under the rug?

The American people need to be told the whole truth about the Otepka episode. Our representatives in Congress should not relent until that demand in our behalf is met.

[From the New Orleans Times-Picayune, Nov. 8, 1963]

OTEPKA PROBE

Senator SCOTT of Pennsylvania has joined in demands for investigation of the dismissal of veteran Otto F. Otepka of the Security Division of the State Department. The dismissal will be appealed to the Civil Service Commission, but several disturbing questions have arisen concerning the full story behind the ouster which have not been officially clarified. Besides this, it appears that Mr. Otepka was "put in the middle" as a result of a conflict between what a Senate subcommittee wanted to find out, and what has been described as "institutional" (State Department) loyalty. It behooves Congress at least to stand by and do its utmost for the victim.

A serious charge that remains unsubstantiated, in all this, is that Mr. Otepka also was put on the spot by superior officers who allegedly reflected on his integrity by testifying he had failed to advise them about certain matters or certain individuals; and that Mr. Otepka was able to prove the contrary to the Senate subcommittee by documentation. It was use of this documentation (classified, or either properly or improperly declassified) that figured heavily in Mr. Otepka's dismissal. How else he could have cleared himself of negligence is not apparent.

The secrecy classification (which he says he himself originally ordered for the material) does not relate to facts prejudicial to national security, but to the security of individuals relative to premature or otherwise improper disclosure of confidential information concerning their status as national security risks, etc.

[From the Levittown (Pa.) Times, Nov. 7, 1963]

AFFAIR OTEPKA

The State Department this week summarily dismissed a longtime, high-ranking employee named Otto F. Otepka amid a rash of charges and a good bit of resulting confusion.

If the confusion is to be cleared up, the State Department owes us a full explanation of the affair Otepka and one certainly should be forthcoming.

Otepka was second in command of the Department's security office. He was subpenaed to appear before the Senate's Internal Security Subcommittee and in response to the subpena he did so appear.

No one has questioned the accuracy of his testimony. Otepka was bounced not for stretching the truth but, in effect, for testifying at all and for suggesting questions the subcommittee might ask.

Democratic Senator THOMAS J. DODD, of Connecticut, has called the firing an affront to the Senate as a whole. He asks how any Senate committee can obtain information if a man can be fired for this reason.

It's a good question.

Breach of security or denial of an individual's rights hardly can be involved, for this particular subcommittee has acted always with reserve, releasing no information that might endanger in any way either this country or any of its citizens.

At the heart of the squabble is the question of whether a legislative group should

have access to the files of an executive branch of our Government.

We feel it should. To echo Senator DODD: How else is our Legislature to be properly informed and guided?

And if this is not what was involved, then where is the truth of the matter?

[From the Chicago American, Nov. 7, 1963]

STATE DEPARTMENT DEFIANCE

In firing Otto F. Otepka, the State Department makes it plain that it considers Congress, and not the Communist conspiracy, its enemy. The Department's charge against Otepka was that he gave confidential information (meaning information the State Department preferred to keep concealed) to the Senate.

Representative H. R. GROSS, Republican, of Iowa, has said Otepka got into trouble with his State Department superiors by "giving Congress information it had every right to know," and this seems to be exactly what happened. Obviously the State Department had set out to conceal facts from Congress and fired Otepka because he did not go along with the concealment.

And what was the matter the State Department was trying to keep Congress from looking into? Otepka has said it was loose security practices, meaning that people of doubtful loyalty were being hired for positions in the State Department. And this was Otepka's very special business because he was the Department's chief security risk evaluator.

The Senate Subcommittee had been trying, too, to find out why State Department officials—particularly William A. Wieland, State Department desk officer on Cuban affairs—had been so slow about recognizing the fact that Fidel Castro was a Communist. The State Department, in firing Otepka, takes the position that this is none of the Senate's business—meaning also, naturally, that it is none of the American people's business, either.

The administration and the State Department have been allowed to assume for too long that they are privileged to conceal their blunders in Cuba. Now let us hope the Senate and the House both dig into the department's impudent firing of Otepka and keep on going until they expose a lot of facts about Cuba.

Congress controls the financing of the State Department, and it should use that control to find out what is going on in the Department.

[From the Syracuse Post-Standard, Nov. 7, 1963]

PENALTY FOR TRUTH?

The firing of the State Department's chief security risk evaluator, whose only crime apparently was to give confidential information to Senate investigators, is certain to raise a storm in Congress.

As Senator THOMAS J. DODD, of Connecticut, says, Otto F. Otepka was not fired for giving the Senate Internal Security Sucommittee false information, but "because he gave the committee true information that embarrassed someone."

If Otepka was dismissed merely for telling the truth even though it reflected on the State Department, he should be reinstated. Government agencies are in a bad way if they must take such action to retaliate for disclosure of critical data.

Otepka apparently knows a great deal about what goes on in the State Department. If he felt the subcommittee should have information on slipshod administration of the agency in matters of security, it was his duty to convey it. After all, that is the business of the subcommittee.

[From the Charleston (S.C.) Post, Nov. 7, 1963]

THE CASE OF OTTO F. OTEPKA

Another controversy has been added to Washington's growing list in the State Department's action against Otto F. Otepka, its chief security risk evaluator. He was fired on charges of conduct "unbecoming an officer of the Department of State." It was claimed he had supplied the Senate Internal Security Subcommittee with classified documents.

Immediate protests came from congressional voices.

Representative H. R. GROSS, of Iowa, said the Department's action was "the most reprehensible thing I've heard." Previously he had labeled the charges against Otepka as an outrage.

A member of the subcommittee, Senator ROMAN L. HRUSKA, of Nebraska, described Otepka as "a man of unquestionable integrity," and predicted the decision would be reversed on appeal, and if it weren't the dismissal of the official would "be a great loss to the Government and to the career service."

Something of a Congress-administration battle seems to have been launched.

Representative GROSS said Otepka was fired "for providing a committee of Congress with information that was necessary to demonstrate that other officials of the Government were not telling the truth."

It seems to us that a Senate Internal Security Committee should have full and free information concerning the State Department's activities, that its very purpose carries with it the right to know. There is a constant cry against questionable secrecy in various Government offices. Congress has vital responsibilities and its committees should have access to public business. Evidently Mr. Otepka believed that and gave testimony to which he felt the committee was entitled.

[From the Fort Lauderdale (Fla.) News, Nov. 9, 1963]

SECURITY OFFICER FIRING SETS UP SENATE SHOWDOWN ON NEW FRONTIER SECRECY

As of this date there are not too many people in this country who are familiar with the case of Otto Otepka and what has happened to him at the hands of our State Department for doing nothing more than observing the law.

In the days ahead, however, we think a great many more people are going to become better acquainted with the Otepka case because the Senate Internal Security Subcommittee is not going to permit the dismissal of this man after 27 years of valuable and loyal service to his Government to go unchallenged.

Prior to his dismissal Otepka had held the post of deputy director of the Office of Security in the State Department and was the officer in charge of security evaluations. His efficiency ratings had always been "excellent" and in 1958 he had been given the Meritorious Service Award from Secretary of State John Foster Dulles.

All this, however, was before the New Frontiersmen moved into the State Department and started to get rid of old-line employees who believed in tight security screening. They brought in people who would have clearly been classified as security risks in previous administrations. To clear these people and their own skirts, they revised the definition of a "security risk" to such an extent that it opened the door for just everybody they wanted in the department including, it has been reported, Alger Hiss.

As the officer in charge of security evaluations Otepka soon found himself at odds with some of his superiors over their liberal views on this security risk business. Then, when Otepka was requested to provide information to the Senate Internal Security Subcommittee, which was looking into State Department handling of Cuban affairs during the period of Fidel Castro's rise to power, Otepka really became persona non grata to his superiors by supplying the subcommittee with the information it had requested.

That's when Otepka really started getting the works. According to Senator THOMAS J. DODD, a leading member of the subcommittee, the first actions taken against Otepka was to restrict his functions.

Then, according to DODD, a tap was installed on his telephone and with the assistance of Bobby Kennedy's minions in the Justice Department his "burn" basket was monitored every night in an effort to find some kind of evidence upon which they could pin a charge on him.

Eventually, they found some evidence indicating he had furnished what they termed "classified" information to the Senate subcommittee, but even before they were ready to bring charges against him he was locked out of his office and denied access to his files.

Finally, charges of conduct unbecoming a State Department officer were lodged against him and he was given notice of dismissal. The charge and the dismissal notice were later reviewed by top level authorities in the Department and a few days ago Otepka got his walking papers.

This, however, isn't the end of the story by any means. The information Otepka furnished the Senate subcommittee was of such an explosive nature that a 10-page memorandum summarizing the Otepka case was drawn up and signed by every member of the Judiciary Committee of the Senate and ordered to be delivered to Secretary of State Dean Rusk personally by DODD. The Senator was also instructed by his colleagues to notify Rusk that the committee would force a showdown on the entire matter if the Secretary continued to forbid employees of the State Department to testify before the committee.

Senator DODD pointed out just this week that Federal law specifically declares that persons employed in the civil service of the United States have an undeniable right to furnish information to either House of Congress or to any committee or member thereof. He contends that the dismissal of Otto Otepka is not only a direct affront to the Senate subcommittee but an affront to the Senate as a whole and a denial of its powers as established by legislation.

He has further declared that the State Department, by its action in the Otepka case, has, in effect, nullified a Federal law and issued a warning to all employees that cooperation with established committees of the Senate, if this cooperation involves testimony considered unpalatable at higher echelon, is a crime punishable by dismissal.

To meet the challenge posed by Otepka's dismissal DODD has asked for an emergency meeting of the full Senate Judiciary Committee to consider the implications posed by the dismissal. He has further asked that the 10-page memorandum on the Otepka case which was delivered to Rusk be circulated to all Members of the Senate.

If the Otepka dismissal is permitted to stand, DODD has declared it will become virtually impossible or exceedingly difficult to elicit any information from employees of the executive branch that bears on disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors.

DODD is absolutely right. The Otepka case furnishes further evidence that the New Frontier is running a closed shop operation that is immune from congressional scrutiny

and this is something that must be challenged and stopped if Congress and the people are ever to learn even the partial truth about what's going on in the Government they are paying so very heavily to support.

JACK W. GORE.

[From the Charleston (S.C.) News and Courier, Nov. 7, 1963]

PATRIOT IS DISMISSED

Dismissal of Otto F. Otepka, State Department security evaluator, because he gave information to members of the Senate Internal Security Subcommittee, is grossly unfair to a patriotic citizen and an affront to the U.S. Senate.

Mr. Otepka's alleged crime is that he told Senate investigators that high-placed State Department officials intended to bring known security risks back into the Department.

The subcommittee warned Secretary of State Dean Rusk against this kind of drastic action. President Kennedy gave assurances that Mr. Otepka would have a hearing before the Civil Service Commission. All that was conveniently forgotten by the State Department. The Department apparently would not relent because Mr. Otepka was more loyal to his country than to the State Department club of insiders.

The Senate subcommittee, of which Senator OLIN D. JOHNSTON, of South Carolina, is ranking member, has received a slap in the face from Mr. Rusk. We trust that the subcommittee will uphold the right of Congress to investigate and confer with Government officials, and also express disapproval of the unconscionable abuse to which Mr. Otepka has been subjected.

[From the Omaha (Nebr.) World-Herald, Nov. 7, 1963]

MORE ON MR. OTEPKA

Since the case of Otto Otepka was mentioned, sorrowfully, in these columns a few days ago, our readers may be interested in a further comment on the same subject—this one by the able Democratic Senator THOMAS J. DODD, of Connecticut.

First, a brief review of the facts:

Mr. Otepka was an employee of the State Department for 27 years. He had served as Deputy Director of the Office of Security and officer in charge of evaluations. In 1958 he received the Meritorious Service Award from the late Secretary John Foster Dulles.

This year, after Mr. Otepka had testified rather frankly before the Senate Subcommittee on Internal Security, someone higher up decided Mr. Otepka had to go. A tap was installed on his telephone. Mr. Otepka's "burn" basket was searched. He was locked out of his office and denied access to his files. Finally he was fired.

Now to pick up part of Senator DODD's comment:

"No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humilitation. But Mr. Otepka was not suspected of disloyalty or espionage. He was suspected very simply of cooperating with the Senate Subcommittee on Internal Security and of providing it with information that some of his superiors found embarrassing or objectionable.

"In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprit, and the words 'security violation' have come to mean, not the act of turning over information to an alien power, but the act of giving information to a committee of the Senate of the United States."

[From the Miami (Fla.) Herald, Nov. 10, 1963]

STATE OUSTS SECURITY AID

Secrets are secrets, the State Department decided last week, and you can't trust anybody these days.

So saying, they fired their 10-year veteran security officer, Otto F. Otepka, because he talked to the Senate's Internal Security Committee.

The reaction from Congress was swift and bitter. Senator THOMAS DODD, of Connecticut, charged that Otepka's only violation was testifying "honestly" on matters relating to the "security" in the Department of State.

But State said Otepka had given "confidential documents" to the committee and out he went.

[From the Worcester (Mass.) Gazette, Nov. 11, 1963]

THE OTEPKA CASE

There is more to the case of Otto F. Otepka than has thus far met the eye.

Otepka, chief security evaluations officer of the State Department, was recently dismissed for his role in providing confidential documents to the Senate Internal Security Subcommittee without the prior consent of his superiors. That is a matter that can be argued till doomsday—whether a Government official owes his complete loyalty to his department or whether he has the right to go behind their backs in matters he feels involve the vital interests of the Nation. At any rate, there is little question that Otepka overstepped the bounds of usual procedures when he passed over some confidential documents to the subcommittee counsel, J. G. Sourwine. It is said that some of the documents had had their confidential stampings snipped off of them, which, if true, is certainly not good.

But if Otepka is guilty of disobedience and poor judgment, some of his accusers in the State Department are guilty of misrepresentations that can hardly be distinguished from perjury. Three of them—John F. Reilly, David I. Belisle, and Elmer Dewey Hill—all high up in the Department's ranks, allegedly spied on Otepka because they suspected he was secretly handing information to the Senate subcommittee. They treated him exactly as if he were an agent spying for the Communists.

When they were questioned by the Senators, the three denied that they listened in on Otepka's telephone. Now they say, in amplifying their remarks, they did actually set up a tap on Otepka's phone, but they never listened in and never used any information gleaned from the tap. Reilly and Hill have been placed on administrative leave pending a final decision by Secretary Rusk. The chances are that all three may have to leave the Government.

The whole unpleasant incident will leave a bad taste in American mouths, and a great many questions to be answered. If Otepka showed such poor judgment, for example, why was he kept in such an important role for so many years? And why was the Department so anxious to keep information from the Senators, who presumably, are not enemies of the country?

Unfortunately, this is not the first time that an executive department has acted as if Congress were the enemy. The bureaucracy hates to have legislative emissaries snooping around in bureaucratic affairs. Unfortunately, also, the Congress has not always used its privilege with complete discretion.

No one wants to see the Government become a huge nest of informers telling tales out of school. Certain sensible administrative procedures must be set up, and these include a proper chain of command in which subordinates do not defy their superiors.

But the executive departments have an obligation to cooperate with Congress instead of setting up needless road blocks to legislative inquiry. The Otepka case may be hard to judge, but it certainly indicates that something has gone wrong somewhere.

[From the Chattanooga (Tenn.) News-Free Press, Nov. 12, 1963]

HARDLY A CONFIDENCE GENERATOR

As Senate investigators were looking into the hideous Cuban debacle and seeking information about those in the State Department who had a hand in it, the Kennedy administration didn't like it at all when Otto F. Otepka, a veteran State Department security officer, cooperated with the Senate and gave information and suggested questions that should be asked to develop the evidence.

In the course of the matter, the State Department fired Otepka. But interesting facts came out. Some State Department officials at first denied before the Senate committee in secret session that they had any knowledge of installation of listening devices by which Otepka's critics could eavesdrop on his telephone—then later admitted that such devices had been installed.

With this conflict in testimony made public, the State Department has not treated the officials with leaky stories the way it treated Otepka for cooperating with the Senate investigators. The State Department has confirmed that it has given "leave" beginning today to two of the officials who finally acknowledged the telephone wiring.

This provides an interesting comparison of State Department values—and an explanation, in part, at least, of why we have such failures as that in Cuba:

The man who cooperated with the Senate to try to discover what went wrong has been fired.

The men who had twisted stories in evident effort not to cooperate are on "leave."

The men who knew about Communist Castro yet aided in bringing him to power and who since have hindered efforts to topple him are still at work in the State Department.

This doesn't exactly generate confidence, does it?

[From the Rocky Mount (N.C.) Telegram, Nov. 12, 1963]

BIG BROTHER STILL WATCHING

Serious indeed is the situation in the State Department in which two high officials admitted that telephone wiring in Otto Otepka's office had been tapped for eavesdropping on conversations. Otepka, a veteran State Department security officer, was dismissed on charges of "unbecoming conduct."

Actually, Otepka was fired for bringing to the attention of the Senate Internal Security Committee certain facts concerning the conduct of affairs of the State Department in several oversea countries. These facts, embarrassing to the Department, brought his dismissal because he refused to be hushed up on the matter.

It is a shocking situation when a longtime official of the Federal Government is victim of such police state tactics as wiretapping and eavesdropping. The two officials who admitted the wiretapping were men of responsible positions. One was Deputy Assistant Secretary for Security John F. Reilly, and Elmer Dewey Hill, Chief of the Division of Technical Services in the Department's Office of Security.

They admitted no actual interception of conversations took place, none was author-

ized and that the wiretap was eventually removed. It was noted by the Senate subcommittee that earlier testimony of these officials denied knowledge of the installation of any listening devices in Otepka's office. In the words of Senator DODD, chairman of the committee, they had in effect admitted that they lied under oath by denying knowledge of such wiretapping.

"When officials of the State Department admit, in effect, that they lied under oath to a Senate committee," said DODD, "every American and every Member of Congress ought to be concerned."

Of even more concern is the situation in Washington that permits such activity to take place. Wiretapping of this nature is not new; Bobby Kennedy advocates legislation even now that would permit the Justice Department to make legal use of wiretapping. Such legislation has no place in American Government or anywhere else. It is an invasion of privacy.

In a government where an official cannot be trusted to the extent that his private conversations are bugged by snoopers, we see the opening phases of a system that is strongly reminiscent of police state regimes, and such phases are always the signal for the beginning of the end for democratic government.

[From the Buffalo (N.Y.) Courier-Express, Nov. 11, 1963]

OTEPKA CASE HAS GREAT SIGNIFICANCE

The action of the State Department in removing Otto F. Otepka as its chief security evaluation officer already has stirred up a mighty controversy in Washington and in all probability the repercussions will be heard for many months to come.

On the face of it, the case is fairly simple. He is charged with "conduct unbecoming an officer of the Department of State" on grounds that he clipped labels denoting classifications of secrecy off classified documents which he then turned over to the chief counsel of the Senate Internal Security Subcommittee. The Department also contends that Mr. Otepka wrote out questions which the counsel was to ask Department officials during the subcommittee's investigation into State Department matters.

There seems to be no question that Mr. Otepka did what he is accused of doing. The only question is whether or not he was wrong in doing it. The Department, on the other hand, has made no claim that the distribution of the documents or the preparation of the questions was of any direct benefit to enemies or potential enemies of this country.

The Department certainly was embarrassed to have the information get out and into the hands of the people who are investigating its operations and no boss wants to have under him an employe who deliberately causes his superiors embarrassment. So, said the Department, Mr. Otepka must go.

But this situation is different from the underling-superior relationship which applies in private business. In a democratic government, everything that a department head and those responsible to him do should be open to public scrutiny unless the security of the Nation—as distinct from the Department head—is involved.

The executive departments of the Nation under Republicans and Democrats have more and more been inclined to hide their actions from the public. Executive orders started under former President Eisenhower and continued and expanded under President Kennedy have built a wall of secrecy around much of the activity of administration figures. This wall—which in our opinion is even more dangerous than the one the Communists built in East Berlin—must be destroyed and if Mr. Otepka breached it, he deserves the thanks, not the censure of the public.

It is quite possible that his actions will make it more difficult for the State Department to operate. But if executive departments are permitted to cover up errors, goofs, frauds or derelictions by arbitrarily slapping a "secret" classification on documents pertaining to the action, even though no security is involved, then our democracy is in tough straits. In a democracy, Government is still the people's business. Let's bring it all out in the open and let the people be the judge.

[From the Savannah (Ga.) News, Nov. 12, 1963]

STRAIGHTEN OUT THE BUREAUCRATS

The State Department has some strange ideas concerning its responsibility to the public, not to mention its relationship to Congress.

Everyone must know by now that the State Department has dismissed an official for, of all things, cooperating with with a committee of Congress. Now it has been established that the same official's telephone lines were tapped, even though State Department spokesmen denied this in testimony before the Senate Internal Security Subcommittee.

We share the committee's dissatisfaction with the attitude and behavior of the State Department, which by its actions implies that it has something to hide from the Congress and the American public.

The executive branch of the Federal Government has established a precedent of ignoring the intent of Congress and the desires of the public. Perhaps the State Department has been infected with the same disregard for the legislative branch.

Every American citizen should resent the Washington bureaucracy's expression of contempt for Congress. The Members of the legislative bodies in Washington are the representatives of the people, and affronts of Congress are, in effect, a demonstration of scorn for the U.S. public.

We hope the Senate Internal Security Committee will carry out its investigation of the State Department regardless of obstacles, and expose those who are attempting to hamper its work.

The true facts about the firing of a loyal official who made the mistake of speaking frankly to congressional investigators should also be brought to light. It is ironic that the State Department has dismissed this man while bureaucratic secrecy still protects those who have made errors detrimental to the Nation's security, in connection with the rise of Fidel Castro in Cuba, for example.

We view with extreme concern the attitude the administration and some of its agencies have taken in respect to the public and the Congress. This attitude implies that the American citizen and his representatives have no right to know what is going on in Government, and no right to have a voice in policy. That is contrary to our ideals of government, and it just won't work.

[From the Kansas City (Kans.) Kansan, Nov. 11, 1963]

THE STRANGE OTEPKA CASE

The way in which the case of Otto Otepka (as related elsewhere on this page) was handled does not reflect credit to the State Department.

Though Otepka now has been officially fired from his job as a Department security officer, the last of the case has not been heard. Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations (see article) but most if not all of these were technicalities. His real crime, in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in fashioning its case against Otepka. Senator THOMAS DODD, Democrat, of Connecticut, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials later admitted that at least an attempt was made in this direction.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted. Perhaps it should have sought first to obtain it through Secretary Rusk, but in some instances investigations demand more indirect means if the truth is to be learned.

In essence, Otepka has been dismissed for telling the truth (or at least what he considered the truth)—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." Further, he has been the victim of illegal tactics—wiretapping. The State Department does not look good.

[From the Norfolk (Va.) Virginian-Pilot, Nov. 10, 1963]

THE OTEPKA FIRING CASE

It is easy to see how the particulars of the Otto F. Otepka case could become submerged in a debate—perhaps a useful debate—over the areas of responsibility of Congress and the executive branch. This appears to be the Senate's approach in its spirited defense of the State Department's top security officer, fired for turning over confidential documents to the Senate Internal Security Subcommittee.

But the immediate issue seems to us to be whether Mr. Otepka broke the rules. He is accused of drawing from State Department files confidential documents on Cuba, defacing them by scissoring out the "Confidential" classification, and delivering them to the subcommittee's legal counsel. He is accused also of helping the subcommittee's legal counsel prepare questions to be asked of various Department officials concerned with developing Cuban policy.

Violations of this magnitude would seem to us to be sound grounds for dismissal.

Nor are we impressed with Senator DODD's warning that punitive action against Mr. Otepka makes it difficult to get future information about malfeasance or disloyalty in the State Department. Employees of the State Department, or any other Department, are entitled to work free of the fear that information gained by spying will not be used one day to question their loyalty or their competence. The State Department, meanwhile, has some explaining to do about its counterspying on Mr. Otepka.

Mr. Otepka had the right to question the judgment of others in his Department. He did not have the right, though, to mount a one-man information service within the Department for a Senate subcommittee. He has at his disposal now adequate appeals procedure to defend himself against this charge.

[From the Johnstown (Pa.) Tribune-Democrat, Nov. 11, 1963]

INTERNAL SECURITY CONGRESS' JOB, TOO

The case of Otto F. Otepka, career civil service employee with an outstanding rec-

ord, who has been fired because he gave confidential documents dealing with internal security measures to the Senate Internal Security Committee, is surely one of the strangest on record.

One may assume that the interests of the State Department and those of the Senate subcommitee are identical: To keep security risks out of the sensitive areas of the State Department. That being so, it must also be assumed that the State Department would welcome any investigation which would further that end.

However, when Mr. Otepka gave the subcommittee information to which it certainly was entitled—though he may have committed a technical violation of the rules—he was first spied upon, then refused access to files, and ultimately ordered dismissed subject to appeal. Now two more State Department employees—perhaps three—who have "corrected" earlier testimony indicating there had been no tapping of Mr. Otepka's telephone may have to be dismissed. And this case isn't over yet.

An unidentified spokesman for the State Department has been quoted by the New York Times as saying that Mr. Otepka was out of step with the times; that "we are not witch hunting any more," and that "we have no security risks, and he knows it." Apparently this skilled security officer doesn't know it. And, for that matter, it is very unlikely the State Department has reached any such degree of absolute, clinical sterility.

Senator THOMAS J. DODD, Connecticut Democrat who heads the Security Subcommittee, said that "in the topsy-turvy world of the State Department" security violations have come to mean, not turning over information to an alien power, but giving information to a Senate subcommittee. The charges, said DODD, boil down to "the simple fact that Otepka testified honestly before the subcommittee about matters relating to security in the Department of State."

Senator DODD calls this an affront to the whole Senate, which does not seem to be an exaggeration. It suggests that the executive branch of the Government has concluded it has no accountability to the legislative branch, and that is out of line with our constitutional system of divided powers. While a President may, and sometimes does, withhold confidential information from Congress, that power does not reside in any lesser official.

The handling of the Otepka case implies that Congress has no right to look into the manner in which internal security measures are being taken in the most vital area of Government. It hardly seems likely any public official would uphold such a contention openly. And this challenge to congressional authority should be met vigorously, since Executive accountability to the representative branch of Government is a fundamental part of our constitutional system.

[From the Montgomery (Ala.) Advertiser, Nov. 10, 1963]

A COLLISION OF BRANCHES

The firing of the State Department man, Otto F. Otepka, if it does not arise specifically out of the ageless jealousy between the executive and legislative branches of Government, will nevertheless give another airing to that conflict.

Because he allegedly passed on classified material to the Senate Internal Security Subcommittee, Otepka stands accused, in a sense, of consorting with the enemy, the enemy being Congress.

What he told the subcommittee is an embarrassment to the administration. Besides supplying the committee with documents, Otepka is accused of helping the committee counsel prepare a list of piercing questions to ask of his superior in the State Department, Security Chief John F. Reilly.

It is the more extraordinary because Otepka, far from being a minor figure, was chief security evaluations officer of the Department.

It is authoritative when his testimony suggests boneheadedness in the State Department security system, a system that has long been under attack for its porousness.

But in testifying as he did to the committee and supposedly furnishing documents to support his charges, Otepka has cut across an executive order that dates back to President Truman. This order specifically denied loyalty files to Congress for the purpose of protecting individuals.

If this order is being used to chop down Otepka and conceal the flaws that he has described in the State Department security system, the executive branch is guilty not only of an affront to the Senate, as Senator DODD charged, but an affront to the Nation.

There'll be plenty of opportunities for Otepka to vindicate himself through appeals. If nobody expects Otepka to get a fair hearing from the administration officials to whom he may appeal, including the President, Otepka has the opportunity to go to court.

Besides that, Otepka has a powerful defense battery in the U.S. Senate.

Unless Otepka and the Senators he talked to are witless, there is substance to his charges, and if the act of supporting these charges violates an executive order, hang the order. The checks and balances system won't perish from a mining of the truth.

[From the Dothan (Ala.) Eagle, Nov. 12, 1963]

STRANGE BUSINESS

Some strange things are always going on in the Federal Establishment, it seems, and currently it's the firing of Otto F. Otepka by Secretary of State Dean Rusk. Otepka, until his dismissal, was a veteran security official for the State Department.

Secretary Rusk said Otepka was let out "for conduct unbecoming a State Department officer." Interestingly, one of the charges so "unbecoming" was that Otepka "provided a committee of Congress with information that was necessary to demonstrate that other officials of the Government were not telling the truth." What an offense—providing a committee of Congress with information. And information to help such a committee get at the truth.

What goes on here? Perhaps the Charleston, S.C., News and Courier has put its finger on the answer in the following editorial:

"The U.S. State Department has brought charges against Otto F. Otepka, Chief of the evaluation division of its security office, of conduct unbecoming a diplomatic officer.

"Is Mr. Otepka charged with promoting the cause of Fidel Castro? Has he a record of associating with leftwingers? Is he soft on communism? No, he is not charged with such offenses. Mr. Otepka is known as a determined foe of leftism.

"Mr. Otepka's alleged offense is that he collaborated with the Internal Security Subcommittee of the Senate Judiciary Committee. Such a charge could be brought only in the U.S. State Department. Only in the State Department would official anger be aroused by a Department member reported to be collaborating with Congress.

"If Mr. Otepka had favored the Castro regime, as was the case with William Wieland, former head of the Caribbean Division, the Department would protect him to his dying day. Mr. Wieland is still on the payroll, out of sight but protected. It is an anti-Communist official who is in hot water."

[From the Phoenix (Ariz.) Republic, Nov. 11, 1963]

SHAMEFUL OTEPKA CASE

By firing its chief security evaluations officer, the State Department decided to drive from Government service a man whose only crime is that he was both honest and conscientious. As Democratic Senator THOMAS DODD charged, the victim, Otto F. Otepka, has been treated by the State Department to "more humiliation and surveillance than anyone ever suspected of espionage or disloyalty."

Otepka, the son of an immigrant blacksmith from Czechoslovakia, is a veteran of 27 years of Government service, 10 of them with the State Department as a security expert. Throughout his Government career he consistently has received the highest ratings. In 1958 he received the State Department Meritorious Service Award. Last year he was recommended for advanced executive training in the National War College.

Now, suddenly, Otepka is charged with conduct "unbecoming an officer of the Department of State," and accused of violating rules which even first-year Government employees would be expected to know. Why?

Otepka's fall from grace is said to date back to the time when Harlan Cleveland, Assistant Secretary of State for International Affairs, appointed a number of persons with questionable security backgrounds to an advisory committee to study the staffing of Americans on international organizations. According to sworn testimony before the Senate Internal Security Subcommittee, Cleveland also inquired as to whether it would be possible to bring former Soviet spy Alger Hiss back into the Department.

Otepka, whose job it was to evaluate security information about State Department employees, was so incensed that he sent reports to his superiors, listing those persons with questionable security backgrounds whom Cleveland either brought into the State Department or was trying to obtain job clearances for.

At that Otepka himself was placed under surveillance. A secretary was assigned to intercept his "burn bag," a wastebasket for classified material, on its way to the incinerator. His telephone was tapped. Investigators examined impressions on carbon paper and typewriter ribbons found in the burn bags. And they pieced together torn-up letters.

Meanwhile, Otepka, with the approval of his superiors, testified before a Senate subcommittee investigating lax security procedures in State. Information he gave helped block the appointment to a sensitive foreign post of William Wieland, described by the Senate Internal Security Subcommittee as having been "an active apologist for Fidel Castro" who had failed to report to his superiors information about the pro-Communist nature of Castro's regime.

State Department spokesmen contradicted Otepka's testimony. So after reading transcripts of State's testimony, Otepka gave to the subcomittee's chief counsel a 39-page memorandum, complete with exhibits. The memo proved conclusively that State Department officials lied under oath in an effort to conceal evidence. Therefore, when it no longer could accuse Otepka of lying, the State Department charged him with violating a 1948 directive forbidding Congress access to loyalty files—the charge that eventually led to his dismissal.

The Otepka case is more than just a controversy between Congress and the executive branch over the right of departments and agencies to withhold information from legislators. As Senator DODD noted, the State Department in effect has issued a warning to all employes "that the giving of testimony unpalatable in the higher echelons of the Department is a crime punishable by dismissal." As such, the ruling is an affront to the Senate and to representative government.

Mr. Otepka will appeal the case, and it is scheduled to be reviewed by Secretary of State Dean Rusk and President Kennedy. But there is no doubt that the ruling will

be upheld. This is unfortunate. For, as Senator DODD added, "In the topsy-turvy world of the State Department, security violations have come to e mean, not trying to turn over information to an alien power, but testifying truthfully before a body of Congress."

[From the Springfield (Ohio) Sun, Nov. 12, 1963]

THE OVERSHADOWED MR. RUSK

Dean Rusk, who has established himself as anything but a contentious figure as Secretary of State, seems headed for a hot-spot over the Otto F. Otepka case.

Mr. Otepka has been dismissed as chief security evaluating officer in the State Department. He is charged with passing on confidential documents from the Department to the Senate Internal Security Subcommittee.

But Senator THOMAS J. DODD, vice chairman of the subcommittee, says that Mr. Otepka was punished because he simply testified honestly on matters relating to security in the State Department. The Senator, backed by other Members of Congress, is thundering that the dismissal of Otepka is an assault on the checks and balances of the three divisions of Federal Government.

That's the sort of talk which could lead to a congressional scalping party for Mr. Rusk. This could be a mistake, since there is no proof that Mr. Rusk has been anything but Secretary of State in name only. The man they want might just as likely be found in the Attorney General's office or some other division of the executive branch.

DEPARTMENT OF STATE,
Washington, September 23, 1963.

Mr. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR MR. OTEPKA: This is a notice of proposed adverse action in accordance with the regulations of the Civil Service Commission.

You are hereby notified that it is proposed to remove you from your appointment with the Department of State, as supervisory personnel security specialist, GS–15, in the Office of the Deputy Assistant Secretary for Security, 30 days from the date of this letter.

On August 16, 1963 at Washington, D.C., you executed a voluntary sworn statement, dated August 15, 1963, before Carl E. Graham and Robert C. Byrnes, special agents of the Federal Bureau of Investigation. A copy of this statement is attached as exhibit A. Information contained therein will be referred to specifically in some of the charges listed below.

Furthermore, during the period March 13, 1963, to June 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, caused the following procedures to be instituted:

(a) Mrs. Joyce M. Schmelzer, secretary to Mr. Frederick W. Traband, supervisory personnel security specialist, periodically observed your classified trash bag (hereinafter referred to as "burn bag") which was in possession of your secretary, Mrs. Eunice Powers. Mrs. Schmelzer and Mrs. Powers were located in the same room and across from one another.

(b) When Mrs. Schmelzer saw that your burn bag was full, she would ask Mrs. Powers if she wanted her (Mrs. Schmelzer) to take your burn bag to a Department mail room with Mr. Traband's.

(c) When Mrs. Powers accepted Mrs. Schmelzer's offer, Mrs. Schmelzer would inform Mr. Traband of this fact. Mr. Traband would then call Mr. Rosetti, supervisory security specialist, or Mr. Shea, supervisory general investigator, if Mr. Rosetti was not available, and inform him that your burn bag was being delivered to the mail room.

(d) While carrying your burn bag and Mr. Traband's to the Mail Room, Mrs. Schmelzer would mark your burn bag with a red "X" (with a crayon or pencil mark) and deposit both burn bags in the mail room, room 3437.

(e) Mr. Rosetti or Mr. Shea, and on one occasion Mr. Robert McCarthy, supervisory security specialist, would obtain your burn bag from the mail room within 5 to 10 minutes after Mrs. Schmelzer left it there and would turn it over to Mr. Reilly or Mr. Belisle (special assistant to the Deputy Assistant Secretary for Security), in their office, Room 3811. (On one occasion when Mrs. Powers herself took your burn bag to the mail room, Messrs. Rosetti and Shea picked it up from the mail room immediately after Mrs. Powers deposited it there.) Your burn bag was then transferred to Mr. Reilly's brief case.

(f) Mr. Reilly's brief case was then taken by Mr. Shea to room 1410, 2612A or 3811 for examination of its contents. Your burn bag was inspected by Mr. Shea either alone or with Mr. Belisle and/or Mr. Rosetti.

(g) The contents of your burn bags were carefully examined. All carbon paper or copies were read by turning the carbon side toward the light thus allowing the paper to be read from the back. Torn pieces of paper were grouped together and then pieced together to make readable documents. One-time typewriter ribbons were also read on occasion.

During the course of inspecting the contents of your burn bag on May 29, 1963, a typewriter ribbon was retrieved. This ribbon has been read and the contents are reproduced as exhibit B. Information contained therein will be referred to specifically in some of the charges listed below.

1. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, Assistant Secretary of State, to Senator EASTLAND, chairman of the Senate Committee on the Judiciary, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on pages 7 and 8 that you gave a copy of a classified memorandum entitled "Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz." to Mr. J. G. Sourwine, chief counsel, U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary. This memorandum concerns the loyalty of employees or prospective employees of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

2. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator EASTLAND, dated March 20, 1963. A copy of this letter, indicating that you noted it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on page 9 that you gave a copy of a classified memorandum entitled "Processing of Appointments of Members of the Advisory Committee on International Organizations Staffing," to Mr. J. G. Sourwine. This memorandum concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

3. You have conducted yourself in a manner unbecoming an officer of the Department of State.

Specifically: You furnished a copy of an investigative report concerning a prospective employee of the Department to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator EASTLAND, dated March 20, 1963. A copy of this letter, indicating that you noted it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on page 10 that you gave a copy of an investigative report dated May 27, 1960, to Mr. J. G. Sourwine, concerning Joan Mae Fogltanz. This report concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an office of the Department of State.

4. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq., of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was addressed to Mr. McGeorge Bundy, the White House, and was signed by Mr. William H. Brubeck, special assistant to the Secretary and Executive Secretary of the Department:

Specifically: On June 18, 1963, the Xeroxed copies of the tops and bottoms of the pages of the aforementioned document were retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above.

These tops and bottoms had been cut from a Xeroxed copy of the Brubeck document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Belisle, Rosetti, and Shea, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

5. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential, was addressed to Mr. McGeorge Bundy, the White House, and was signed by Mr. William H. Brubeck.

Specifically: On June 18, 1963, the Xeroxed copies of the tops and bottoms of the pages of the aforementioned document were retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the Brubeck document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Belisle, Rosetti and Shea, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

6. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was addressed to SY—Mr. Belisle from SY/EX—Mr. John Noonan, supervisory security specialist, and was on the subject "Security meeting".

Specifically: On June 18, 1963, a Thermo-Faxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above. These tops and bottoms had been cut from a Thermo-Faxed copy of the document and they have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

(7) You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential, was addressed to SY—Mr. Belisle from SY/EX—Mr. John Noonan, and was on the subject "Security meeting".

Specifically: On June 18, 1963, a Thermo-Faxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a Thermo-Faxed copy of the document and they have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document mutilates that document within the meaning of 18 United States Code 2071. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clipings as having come from the classified document referred to above.

8. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document which was classified confidential was, addressed to you from Messrs. Traband and Levy (supervisory personnel security specialist), and on the subject "SY Evaluative Services to ARA and OIA."

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the subject document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document, declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

9. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified Confidential, was addressed to you from Messrs. Traband and Levy, and was on the subject "SY Evaluative Services to ARA and OIA."

Specifically: On June 18, 1963, a xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a xeroxed copy of the subject document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

10. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was drafted by ARA/RPA: JMBarta (international relations officer), and concerned the procedure for reviewing and disposing of adverse information on employees of International Organizations dealing with Inter-American Affairs:

Specifically: On June 18, 1963, a xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms which were cut from a xeroxed copy of the Barta document, have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

11. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential was drafted by ARA/RPA: JMBarta, and concerned the procedure for reviewing and disposing of adverse information on em-

ployees of international organizations dealing with inter-American affairs.

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms which were cut from a Xeroxed copy of the Barta document, have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Shea, Belisle and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

12. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: On March 19, 1963, carbon paper consisting of seven pages was recovered from your burn bag. This burn bag was obtained by Mr. Rosetti from the mail room after it had been placed there in accordance with the procedure outlined above. The burn bag was inspected and carbon paper recovered from it by Mr. Shea. Mr. Rosetti's signed statement regarding this incident is enclosed as exhibit E. Mr. Shea's statement is enclosed as exhibit F. The carbon paper has been reproduced and copies thereof are attached as exhibit G. This carbon paper contains questions which you prepared and furnished to a person or persons outside the Department for the use of Mr. J. G. Sourwine, in the interrogation of Mr. Reilly. Mr. Sourwine subsequently asked these questions of Mr. Reilly when he appeared before the U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. Mr. Reilly's signed statement is enclosed as exhibit H.

This is a breach of the standard of conduct expected of an officer of the Department of State:

13. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: On June 10, 1963, a one-time typewriter ribbon was recovered from your burn bag. This burn bag was obtained by Mr. Rosetti from the mailroom after it had been placed there in accordance with the procedure outlined above. Mr. Rosetti's signed statement regarding this incident is enclosed as exhibit I. This type writer ribbon has been read and the contents are reproduced as exhibit J. The ribbon contained 24 questions which you prepared and furnished to a person or persons outside the Department for the use of Mr. J. G. Sourwine in the interrogation of Mr. Belisle. Mr. Sourwine subsequently asked 15 of these questions of Mr. Belisle when he appeared before the U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. Mr. Belisle's signed statement is enclosed as exhibit K.

This is a breach of the standard of conduct expected of an officer of the Department of State.

Copies of the memoranda and documents referred to in the charges which are classified and concern "the loyalty of employees or prospective employees" of the Department are available for inspection by you and your attorney upon request to Mr. John W. Drew, Jr., of my staff, in room 2239.

You are hereby given 10 days from the date of this letter to answer these charges. You may reply both personally and in writing if you so desire. Any written reply you wish to make should be addressed to my attention. You may furnish affidavits or other evidence in support of your reply if you so desire. If you wish to make an oral reply you may call Mr. Drew, extension 6251, for an appointment.

As soon as possible, after your answer is received, or after the expiration of the 10-day limit, if you do not answer, a written decision will be issued to you.

During the 30-day notice period to which you are entitled, you will remain in an active duty status at your present grade and salary.

Sincerely yours,

JOHN ORDWAY,
Chief, Personnel Operations Division.

WHEATON, MD., *October 14, 1963.*

Hon. JOHN ORDWAY,
Chief, Personnel Operations Division,
Department of State,
Washington, D.C.

DEAR MR. ORDWAY: This is my answer to the charges preferred against me by your letter of September 23, 1963.

CHARGE 1 AND CHARGE 2

Before turning to the specific charges, a general statement of the background of this entire matter is in order.

I have been an employee of the U.S. Government for 27 years. From 1936 until 1942 I occupied minor positions in the Farm Credit Administration and the Bureau of Internal Revenue, and for 3 years during that period attended law school. In 1942 I was appointed an investigator and security officer with the U.S. Civil Service Commission. I served in that capacity until 1943, when I entered the U.S. Navy as an apprentice seaman. I served in the Navy from 1943 until 1946, being discharged with the grade of petty officer first class. Returning to the Civil Service Commission in 1946, I served there as an investigator and security officer until 1953 when I came to the Department of State as a security officer. I have been with the Department ever since 1953.

My efficiency ratings at the Civil Service Commission for the years 1946–53 were all "excellent," the highest ratings attainable under the system then in effect. During my service in the Department of State, all of my efficiency reports have been highly favorable. For example, for the year 1959–60, when I served as Deputy Director of the Office of Security, my efficiency report contained the following comment by the Director of that office, Mr. Boswell:

"He has had long experience with and has acquired an extremely broad knowledge of laws, regulations, rules, criteria and procedures in the field of personnel security. He is knowledgeable of communism and of its subversive efforts in the United States. To this, he adds perspective, balance, and good judgment, presenting his recommendations and decisions in clear, well-reasoned, and meticulously drafted documents. He has brought these attributes to bear during periods totaling almost 4 months when he has been Acting Director in my absence and throughout the rating period as the State Department representative on an intragovernmental committee concerned with security matters."

In April 1958, I received a meritorious service award signed by Secretary of State John Foster Dulles for sustained and meritorious accomplishment in the discharge of my assigned duties. The justification for this award included the following statement: "He has shown himself consistently to be capable of sound, independent judgment, creative work, and the acceptance of unusual responsibility."

It may be noted that I have received no efficiency report since September 1960, although the regulations require that each employee receive such a report annually, and I have on several occasions requested my superiors to give me my efficiency reports. However, until recently none of my superiors ever complained to me about my performance of duty.

Beginning in November 1961, an investigation into certain security practices of the Department of State was conducted by the Internal Security Subcommittee of the Committee on the Judiciary of the U.S. Senate. I first appeared before that committee at its request and with the express permission of the Department of State, together with two other members of the Bureau of Security and Consular Affairs. I responded to the questions of Mr. J. G. Sourwine, the subcommittee's chief counsel, frankly and truthfully to the best of my knowledge and ability. Subsequently, in April 1962 I reappeared before the subcommittee also at the committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In October 1962, the committee publicly released the transcripts of my testimony and that of other Department of State personnel, together with a report of the committee containing the committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in February 1963, and during March 1963, I appeared on four occasions before the same subcommittee in accordance with its request and with the knowledge of my superiors. I was given to understand that the committee was seeking to ascertain from the Department of State whether or not the Department had implemented the committee's recommendations to improve certain security practices found by the committee to be deficient. During April and May 1963, my immediate superior, Mr. John F. Reilly, testified before the committee on five occasions. Prior to his first appearance, and at his request, I obtained from Mr. Sourwine the stenographic transcripts of my testimony of February and March 1963, and I furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why, as the transcripts had been available to him through regular Department channels.

Following the appearance of Mr. Reilly, he came to my office and informed me that Senator THOMAS F. DODD, the presiding chairman of the subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. DODD on this matter. I said I did not know Mr. DODD but were I to be again questioned by the subcommittee I would be very happy to state for the record what had transpired between me and Mr. Reilly when on a prior occasion he discussed with me, at his request, my future role in the reevaluation of the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. J. G. Sourwine, the chief counsel of the subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23, 1963. Mr. Sourwine voluntarily informed me that there were conflicts between my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and said that when I had done so, I should give him a memorandum that would answer point by point all of those portions of Mr. Reilly's testimony which conflicted with my testimony or which I found inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and

amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was furnished to Mr. Sourwine as the chief counsel and authorized representative of the subcommittee. It was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly, in any future appearance I made before the committee. I was told that I would be recalled to testify again before the committee.

I was especially disturbed by two statements made by Mr. Reilly in his testimony which was shown to me by Mr. Sourwine. First, Mr. Reilly testified, concerning eight prospective appointees to the Advisory Committee on International Organizations, that there was no substantial derogatory information respecting any of the prospective appointees, and that the case of only one of them had even been brought to his attention prior to their appointment. This testimony I knew to be incorrect, for on September 10, 1962, before the appointments were made, I had submitted to him a memorandum with respect to each of the individuals in question. This memorandum strongly recommended that certain of the prospective appointees not be cleared without further investigation. On September 17, 1962, Mr. Reilly himself directed a memorandum to Mr. George M. Czayo in the office of Mr. Harland Cleveland with respect to these cases, and this document reflected that Mr. Reilly was familiar with my memorandum of September 10.

I gave to Mr. Sourwine a copy of my memorandum of September 10, 1962, and a copy of Mr. Reilly's memorandum of September 17, 1962. While these documents were classified "confidential"—the one of September 10 having been classified by me—they contained no investigative data. The only substantive data contained in my memorandum of September 10 consisted of references to certain matters which had been mentioned in published reports or hearings of the Senate Internal Security Subcommittee or which were otherwise in the public domain. The Reilly memorandum of September 17 contained no substantive data whatever with respect to the prospective appointees, but related for the most part to the procedural steps involved in their clearance.

Charge 1 in your letter is based upon my action in giving a copy of my memorandum of September 10, 1962, to Mr. Sourwine. Charge 2 related to my action in giving Mr. Sourwine a copy of Mr. Reilly's memorandum of September 17, 1962. You allege that my actions were in violation of the Presidential directive of March 13, 1948 (12 Fed. Reg. 1359) which forbids the disclosure, except as required in the efficient conduct of business, of "reports, records, and files relative to the loyalty of employees or prospective employees."

It is a familiar rule that regulations, like statutes, must be interpreted with commonsense, that a thing may be within the letter of a regulation and yet not within the regulation, because not within its spirit, nor within the intention of its makers. This has been the law for centuries. Poffendof mentions the judgment that the Bolognian law which enacted "that whoever drew blood in the streets should be punished with the utmost severity," did not extend to the surgeon who opened the vein of a person that fell down in a street in a fit. Plowden cites the ruling that the statute of 1st Edward II, which enacts "that a prisoner who breaks prison shall be guilty of a felony," does not extend to a prisoner who breaks out of prison when the prison is on fire "for he is not to be hanged because he would not stay to be burnt." See *Church of the Holy Trinity* v. *United States*, 143 U.S. 457.

Applying this doctrine to the present case, and assuming without conceding that the memoranda of September 10 and September 17, 1962, fell within the letter of the Presidential directive of March 13, 1948, I submit that those memorandums were not within the spirit of the directive nor within the intention of its author. As President Truman stated in his letter to the Secretary of State, dated April 2, 1952, the purpose of the directive was "to preserve the confidential character and sources of information, to protect Government personnel against the dissemination of unfounded or disproved allegations, and to insure the fair and just disposition of loyalty cases." The memoranda of September 10 and September 17, 1962 referred to no confidential information, disclosed no confidential sources, and made no allegations. My memorandum of September 10, 1962 merely referred to matters of public record and recommended that these matters should be investigated. There was no loyalty case, pending or contemplated, involving any of the individuals mentioned. In short, in the context of the Presidential directive of March 13, 1948, the two memorandums were completely innocuous and clearly not the kind of papers that the directive was designed to protect.

My interpretation of the Presidential directive of March 13, 1948, is apparently in harmony with the interpretation placed upon the directive by Secretary of State Rusk. Thus, the statement of Senator THOMAS J. DODD, appended to the report of the Senate Subcommittee on Internal Security in the matter of State Department security, published in 1962, contains the following:

"Subsequent to the preparation of this report, I had occasion to discuss the Wieland case with Secretary Rusk and to examine certain documents which he showed me in confidence.

"On the basis of these conversations, I am satisfied that, prior to September 15, 1961, Secretary of State Rusk had examined the material pertaining to the Wieland case in considerable detail, including reports of the Federal Bureau of Investigation."

See Senate report, State Department Security, "The Case of William Wieland, etc., 87th Congress, 2d session—page 197. The intendment of Senator DODD's statement is that Secretary Rusk disclosed to him documents from the security file of Mr. Wieland, in order to establish that the Secretary did examine this material prior to September 15, 1961. It seems obvious that, in the judgment of Secretary Rusk, a reasonable and commonsense interpretation of the Presidential directive did not prevent the disclosure of the security material to Senator DODD. If it was proper for Secretary Rusk to show such material to a member of the Internal Security Subcommittee, then it was proper for me to disclose the innocuous memoranda of September 10 and September 17, 1962, to an authorized agent of that subcommittee, in order that the committee might know the truth and to refute unwarranted and scandalous charges against me and my record.

Mr. Reilly's testimony that the cases of the prospective appointees had not been brought to his attention seriously disparaged my performance of duty and impugned my integrity. In other words, had I failed to bring such matters to his attention, I would have been guilty of a dereliction of duty. In this context, I submit that I had not only the right but the duty to defend myself, to correct the committee record, and to support my oral testimony by the memoranda of September 10 and September 17, 1962.

The provisions of the United States Code, title 5, section 652(d) plainly gave me the right to respond to the request of the Senate committee and to answer Mr. Reilly's attacks upon me. That statute provides:

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with. As amended June 10, 1948, c. 447, 62 Stat. 354; 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067".

If the provisions of the directive are construed to prohibit the disclosure by me of the memoranda here involved, under the circumstances of this case, then I submit the directive is in violation of the statute.

It must be emphasized always that I gave the memoranda in question to Mr. Sourwine, not as an individual, but as the authorized agent of a committee of the U.S. Senate; and I gave them to him only to be used as exhibits in connection with my forthcoming testimony before that committee in executive session.

CHARGE 3

Charge 3 alleges that in violation of the Presidential directive of March 13, 1948, I furnished to Mr. J. G. Sourwine a copy of an investigative report dated May 27, 1960, concerning Joan Mae Fogltanz.

My answer to charges 1 and 2 is in large part applicable to charge 3 and I adopt it as part of my answer to charge 3.

Specifically, the facts relating to and justfying my delivery of a copy of the Fogltanz report to Mr. Sourwine are as follows: In his testimony before the committee Mr. Reilly swore that in a memorandum dated October 29, 1962, I had made certain recommendations for the improvement of the organization and operation of the Division of Evaluations; and that I thereafter complained when the very changes I had recommended were put into effect. He produced a copy of my memorandum of October 29, 1962, introduced it into the committee record, and discussed it in detail. Furthermore, he said that my "recanting" of that memorandum caused him to question my integrity and my emotional balance. This was the second statement by Mr. Reilly that disturbed me.

One specific recommendation which Mr. Reilly claimed I had repudiated was my recommendation that "short-form reporting" be used in the case of certain applicants for employment. By short-form reporting I meant a procedure whereby investigative reports on applicants for minor clerical positions which were entirely favorable would be condensed and summarized eliminating long and repetitious endorsements and descriptive statements. I recommended that such short-form reporting be used only in cases of applicants for positions in grade GS–4 or lower. After receiving my memorandum and contrary to my recommendation, Mr. Reilly ordered that short-form reporting should be used for all reports of investigation, including reports on prospective appointees to high office in the Department. Since Mr. Reilly's order was not in accordance with my recommendation, I respectfully opposed it.

In view of Mr. Reilly's testimony, it was necessary for me to explain to the committee the matter of short-form reporting and my consistent position on the subject. It was in this connection and for this purpose alone that I gave Mr. Sourwine, as the agent of the subcommittee, the Fogltanz report. This report was marked "Official use only." The report, relating to an applicant for a minor clerical position in the Department of State, consisted of five and a half single-spaced typewritten pages and reflected interviews with a large number of people. All of those interviews attested that Miss Fogltanz was a young lady of splendid character, a loyal American, moral, religious, and in every way suitable and qualified for appointment. In short the report was completely favorable and completely innocuous.

I gave the report to the subcommittee as a striking example of the needless repetition and prolixity which my recommendation for short-form reporting was intended to eliminate. Along with this report, I also presented an example of the same material digested in a short-form report. My purpose and my only purpose, was to explain the recommendation I had made to Mr. Reilly and to make it clear that I had not deviated from that recommendation.

All that I have said in my discussion of charges 1 and 2, to demonstrate that the memoranda involved in those charges were not within the scope of the Presidential directive of March 13, 1948, applied with even greater force to the innocuous Fogitanz report.

CHARGES 4–11

Charge 4 alleges that I was "responsible for the declassification of a classified document" by cutting the classification indicators from the tops and bottoms of the pages of a Xeroxed copy of the document.[1] It is alleged that the severed tops and bottoms of the pages were found in my burn bag on June 18, 1963. It is charged that such declassification violated various sections of the Department's "Foreign Affairs Manual." Charges 6, 8, and 10 made similar charges with respect to the Xeroxed or Thermo-Faxed copies of other documents, it being alleged in each instance that the severed tops and the bottoms were recovered from my burn bag.

Charges 5, 7, 9, and 11 relate to the same Xeroxed or Thermo-Faxed copies and the same clippings referred to in charges 4, 6, 8, and 10. It is alleged that I was "responsible" for the clipping of these documents, and that such clipping constituted a "mutilation" of the documents in violation of 18 U.S.C. 2071, relating to the mutilation of official documents and records.

By letter of October 4, 1963, my counsel requested you to specify the particular manner in which it is claimed that I failed to follow required declassification procedures as alleged in charges 4, 6, 8, and 10. He also requested you to advise whether or not it is charged that I personally clipped the documents, and if not, then who is alleged to have done the clipping. By your letter of October 8, 1963, you responded to the first question by stating only that "The methods by which the classified documents in question were declassified are not authorized by the above-cited reference" (to the Department's "Foreign Affairs Manual"). This response of course does not answer the question. Answering the second question you stated that it is not charged that I personally declassified or mutilated the documents. You did not respond at all to the request for specific information as to who is alleged to have done the clipping or mutilation.

In the absence of the specific information requested by my counsel's letter of October 4, 1963, these charges are defective. I do not waive this point.

Turning to the facts, the allegations contained in charges 4–11 inclusive can be answered in a few words. I did not clip the documents in question. I was not responsible for the clipping directly, or indirectly. I do not know who did it, or why, or who placed the clippings in my burn bag—assuming that they were there. In short, I had absolutely nothing to do with clipping these papers and know nothing about it.

What has been said is a full and complete answer to the charges of clipping and mutilation. It may be appropriate, however, to point out the flimsy nature of the circumstantial evidence upon which these accusations against me are based. You apparently rely upon the theory of guilt by association with my burn bag. The facts are that there were three burn bags and three secetaries in the reception area where my burn bag was located. The secretaries sat within a few feet of each other and there was a burn bag beside the desk of each secretary. There was no rule or custom that trash from the office of each official would be deposited only in his burn bag; on the contrary, trash might be thrown into whichever burn bag was the most convenient. It follows that even if the clippings here involved were found in my burn bag this does not demonstrate that they came from my office or had any connection with me. In other words, the presence of such clippings in my burn bag is entirely consistent with the hypothesis that they came from one of the other two offices in the suite. It should be added that both Mr. Traband and Mr. Levy had copies of the documents in question.

Further analyzing the circumstantial evidence, it is significant that one page of the four-page document involved in charges 4 and 5 and one page of the two-page document involved in charges 6 and 7 were not clipped at all. If the purpose of whoever clipped the documents was to declassify them by removing the classification indicators, it is singular that the indicators on these pages were left untouched.

As I have said, I do not know who clipped the documents in question. You have not answered the request of my counsel for specific information as to who is alleged to have done the clipping. Were I permitted to examine my burn bags and their contents, referred to in your letter, I might be able to reach some conclusion on this point; however, you have denied my counsel's request, by his letter of October 8, 1963, that we be permitted to examine the burn bags and their contents. I must say, with great respect, that your ruling is puzzling, especially since it is alleged that the contents of the burn bags came from me, and since the Department of State in the case of John Stewart Service permitted him and his counsel to examine all documents and papers in the files which were prepared by him or in connection with the missions on which he served, which might be material to his defense.

Finally, it should be noted that 18 U.S.C. 2071, relating to the mutilation of records and documents, furnishes no support for your charges. It is plain on the face of this statute that it is intended to prohibit, and does prohibit, only the mutilation or destruction of record or file copies. The statute by its terms relates to papers "filed or deposited * * * in any public office, or with any * * * public officer of the United States." It has no application to work papers or working copies which of course may be destroyed when they have served their purpose. If this were not so, there would be little need for trash baskets and burn bags. In this connection, you are of course familiar with the departmental rule that unneeded copies shall be destroyed by tearing them and depositing them in a burn bag for classified trash.

CHARGE 12 AND CHARGE 13

Charges 12 and 13 allege that I furnished to Mr. Sourwine certain questions, to be asked of Mr. Reilly and Mr. Belisle when they testified before the Senate subcommittee. It is charged that my action in furnishing these questions "is a breach of the standard of conduct expected of an officer of the Department of State."

By his letter of October 4, 1963, my counsel asked that you specify the regulation alleged to have been violated by my conduct, which is the basis of charges 12 and 13. In your letter of October 8, 1963, you responded that "no allegation is made that the conduct of Mr. Otepka referred to in charges 12 and 13 violated a specific Department of State regulation." It thus appears that my conduct is to be judged under some vague and amorphous standard, setting out no objective guidelines, but existing only in the minds of my superiors, and subject to change according to their notions or whims of the moment. Such a standard, I submit, does not meet the fundamental requirements of fairness and due process, nor does a charge based upon such a standard fulfill those requirements.

The vagueness of the standard of conduct to which you refer and the need for a more precise definition and explanation of that standard are well illustrated by the facts of this case. In addition to the surveillance of my activities disclosed by your letter, I have reason to believe that in recent months employees of the Department of State have secretly employed listening devices to eavesdrop on conversations in my office. I have reason to believe that my office telephone has been tapped and that my desk and my safe have been surreptitiously opened and searched. These things have been done with the knowledge and approval of my superiors, if not by their express direction. They were done in the absence of any effort whatever to secure from me, by direct and open means, the information which was desired and which I would have been glad to furnish. When the Department of State approves such conduct and adopts such methods the meaning of your phrase "the standard of conduct expected of an officer of the Department" becomes lost in obscurity.

Turning to the factual allegations of charges 12 and 13, it is true that I furnished to Mr. Sourwine, as the chief counsel and authorized representative of the Senate subcommittee, questions to be put to Mr. Reilly and Mr. Belisle when they testified before the committee. Some of these questions are reflected in the exhibits attached to your letter, although in many instances they have been garbled in transcription.

My action in furnishing these questions to Mr. Sourwine was clearly within the protection of 5 United States Code, section 652(d), quoted above on page 6.

Whatever the standard of conduct expected of an officer of the Department of State may be, it is my conviction that any standard of conduct worthy of the name demands honesty and integrity. Certainly honesty and integrity are the fundamental tenets of my personal standard of conduct. Consistently with this belief, I hold that when one is called upon to speak he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence. I believe that every man has the right to defend himself against false accusations. I believe in the Code of Ethics for Government Service, expressed in the House concurrent resolution agreed to on July 11, 1958, and promulgated by the U.S. Civil Service Commission in departmental Circular 982 on December 2, 1958. That code states that "any person in Government service should put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department." When I appeared as a witness before the Senate subcommittee I, of course, had this credo in mind. I believed then and I believe now that it was my duty to tell the committee the whole truth. By the same token, I believed then and I believe now that I would have been derelict in my duty, if by my silence I had permitted untrue and inaccurate state-

[1] The charge alleges that the document in question was signed by Mr. William H. Brubeck. The document exhibited to me and my counsel by your office, as a copy of the one referred to in the charge, is signed "J. T. Rogers, for William H. Brubeck." The inaccuracy is of course unimportant.

ments, of which I had personal knowledge, to remain unchallenged in the committee record, or if I had otherwise failed to give the committee my full cooperation in its search for the truth. It was and is my understanding that it was my duty to assist the committee to develop the truth, and it was for this purpose, and for this purpose alone, that I cooperated with the committee counsel by suggesting to him fair, proper, and impersonal questions designed to bring the truth to light. It is difficult to understand why the Department and the witnesses did not welcome such questions. In any event, I cannot believe that my action was a breach of any standard of conduct properly expected of an officer of the Department of State.

I submit that the charges against me are without foundation and should be dismissed.

Very respectfully,

OTTO F. OTEPKA.

I, Otto F. Otepka, being first duly sworn depose and say that I have read the foregoing answer subscribed by me and know the contents thereof; that the matters and things stated therein as of my personal knowledge are true and those stated upon information and belief I verily believe to be true.

OTTO F. OTEPKA.

Subscribed and sworn to before me this 14th day of October 1963.

(Signed) CHARLOTTE D. KIMBALL,
Notary Public, District of Columbia.
My commission expires August 14, 1968.

DEPARTMENT OF STATE,
Washington, November 5, 1963.

Mr. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR MR. OTEPKA: On September 23, 1963, you were notified of 13 charges on the basis of which it was proposed to remove you from your appointment as supervisory personnel security specialist, GS–15, in the Office of the Deputy Assistant Secretary for Security in the Department of State. Your written reply, dated October 14, 1963, has been carefully considered. As you know, you did not request an opportunity to make an oral reply. I find that you have not refuted the charges set forth in my letter of September 23, 1963.

Charges one and two allege that you gave copies of classified memoranda relating to the loyalty of prospective employees of the Department of State to a person outside the Department without authority and in violation of the Presidential directive of March 13, 1948. Charge three alleges that you gave a copy of an investigative report concerning a prospective employee of the Department to a person outside of the Department without authority and in violation of the Presidential directive.

In your reply you admit giving these documents to Mr. J. G. Sourwine, chief counsel of the Internal Security Subcommittee of the Senate Judiciary Committee. You argue, in defense, that the Presidential directive, properly construed, does not apply to the documents in question because the memoranda contained no investigative data and no substantive data that was not in the public domain and the investigative report was completely favorable and innocuous.

The Presidential directive provides that:

"All reports, records and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business.

"Any * * * request for information, reports, or files of the nature described * * * shall be respectfully declined, on the basis of this directive, and the * * * request shall be referred to the Office of the President for such response as the President may determine to be in the public interest in the particular case. There shall be no relaxation of the provisions of this directive except with my express authority."

The directive recognizes that, because of the nature of the material they contain, reports, records, and files relative to loyalty of Government employees and prospective employees must be specially safeguarded. Only in this way can the personnel loyalty-security program be carried out with appropriate regard for both national security and individual rights. The directive does not prohibit the disclosure of such information absolutely, but provides a special procedure for determining whether it is in the public interest that such information be disclosed. Under the procedure, that determination is made by the President, to assure that all relevant considerations will be taken into account and given proper weight. The directive thus removes from the purview of the individual employee's judgment the many questions that may arise—whether the source of the information must be protected; whether the information is substantive in character; whether it is innocuous; whether a proposed disclosure is accompanied by adequate safeguards; in sum, whether a particular report or record contains information that should not be disclosed in the circumstances.

Accordingly, the only relevant question is whether the documents were "relative to the loyalty of employees or prospective employees." Of the documents you gave to Mr. Sourwine, the September 10, memorandum specifically deals with the loyalty of prospective employees and, in fact, contains at least two statements clearly based on information contained in investigative reports. The September 17 memorandum specifically refers to loyalty matters with respect to the prospective employees. The third document is an investigative report and is thus of a class expressly named in the directive. The documents thus fall within the classes of papers protected by the directive.

You also contend that the memorandums and the investigative report were furnished to Mr. Sourwine to correct inaccurate testimony of your superior, Mr. Reilly, and that under 5 U.S.C. 652(d), dealing with the right of persons employed in the civil service to furnish information to or petition Congress, you were free to give the documents to Mr. Sourwine in spite of the Presidential directive.

I cannot agree with this position. No organization, especially a large one like the Department of State, could function if subordinate officers disregarded established procedures as they chose. As you know, there are a number of such procedures by which you could have brought your disagreeemnt with Mr. Reilly to the attention of superior officers in the Department. In addition, you could have sought the opportunity to testify again before the subcommittee to make any necessary clarifications. If you believed disclosure of papers relative to the loyalty of employees or prospective employees was necessary, the procedure prescribed in the Presidential directive was available.

Title 5 U.S.C. 652(d), is not designed to permit employees to short cut such procedures. The question of the scope of that section was raised during the Senate select committee hearings concerning censure charges against the late Senator McCarthy. It was argued that under the statute "no qualifications or restrictions are imposed upon the right of Federal employees to take up matters with and give information to Members and committees of the Congress of the United States." This interpretation was rejected by the select committee. It concluded that the section does no more than "affirm that Federal employees do not lose or forfeit their rights merely by virtue of their Federal employment." An employee does not forfeit his rights when he complies with reasonable and orderly procedures for the exercise of those rights. The committee recognized that the President could prescribe reasonable regulations to safeguard information "notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of Congress." Senate Report No. 2508, 83d Congress, 2d session, page 35.

Accordingly, I find that charges 1, 2, and 3 are sustained.

Charges 4, 6, 8, and 10 allege that you were responsible for cutting the classification indicators from the tops and bottoms of certain classified memorandums thus declassifying the documents without complying with prescribed procedures. Charges 5, 7, 9, and 11 allege that, by the same acts, you were responsible for mutilation of the documents in violation of section 2071 of title 18, United States Code.

In reply you deny that you clipped the documents in question or that you were responsible, directly or indirectly, for the clipping. You argue that the presence of the clippings in your burn bag is consistent with the hypothesis that they came from one of the other two offices in the suite. You also argue that section 2071 of title 18, United States Code, has no application to work papers or working papers, which may be destroyed when they have served their purpose.

With respect to section 2071 of title 18, United States Code, you are not, of course, charged with destroying the documents, lawfully or unlawfully, but with unlawfully mutilating them. Since only the carefully clipped classification indicators appeared in the burn bag and not the remainder of the documents, the inference arises that you were not seeking to destroy the document in accordance with prescribed procedures or in the ordinary course of business.

Although the documents involved were not originals, they are not thereby exempt from the protection of section 2071, which covers "any paper, document, or other thing filed or deposited with any public officer of the United States."

As to the factual issues, each of the other two officers occupying the suite has made a statement denying that he clipped the documents in question, or placed the documents or portions of them in your burn bag, or that he knows who did. Each of the secretaries of these officers as well as your own secretary has made a statement denying that she clipped the documents in question, or placed them or portions of them in your burn bag, or knows who did. The clippings were found in the burn bag available specifically for your use. The documents all dealt with the same specific subject as 10 other documents which, in a signed statement dated August 15, 1963, you admitted giving to Mr. Sourwine. In these circumstances, I have concluded that you were responsible for clipping the documents.

I find that these charges are sustained.

Charge 12 alleges that you prepared and gave to a person or persons outside the Department a series of questions for the use of Mr. Sourwine in the interrogation of your superior, Mr. Reilly. Charge 13 alleges that you prepared and gave to a person or persons outside the Department a series of questions for the use of Mr. Sourwine in the interrogation of another officer of the Department, Mr. Belisle.

In your reply you admit having prepared the questions and given them to Mr. Sourwine to be put to Mr. Reilly and Mr. Belisle when they testified. You argue that the standard of conduct you are charged with violating is so vague as to be unfair and lacking in due process and that, as with charges one, two, and three, your action was justified under 5 U.S.C. 652(d), and was taken to defend yourself against false testi-

mony. You also state that you considered it your duty, in loyalty to your country and consistent with the Code of Ethics for Government Service, to assist the committee to develop the truth.

Departmental Regulations (3FAM 1611) provide:

"The policy of the Department is to protect its employees against arbitrary separation or removal for reasons having no relation to the good of the service. Employees are required, however, to render honest, efficient, and loyal service and shall be separated or removed when necessary to maintain the required discipline and efficiency of the service."

This standard of service as well as basic concepts of administrative responsibility require that an officer of the Department should first seek to correct asserted deficiencies within the Department in accordance with the procedures provided. Unless this proves impossible the question of a conflict of loyalties cannot arise. As noted above, there were proper ways available to make your views known, and thus there is no deprivation of the rights referred to in 5 U.S.C. 652(d). The right to free speech and loyalty to country on which you rely do not render meaningless your duty of loyalty to superiors and fellow employees and are not incompatible with that duty.

I find that these charges are sustained.

You are hereby notified that you will be removed from your appointment with the Department of State. The effective date of your removal will be November 15, 1963.

You are hereby notified of your right to appeal this decision to the Department of State or to the Civil Service Commission. If you appeal initially to the Department, the effective date of your removal will be postponed pending the appellate decision. Your attention is directed to the Foreign Affairs Manual of the Department, volume 3, section 1840, a copy of which is enclosed, for detailed information concerning an appeal to the Department. Once you have appealed to the Department, you may appeal to the Civil Service Commission only if:

1. you request that the appeal to the Department be terminated, or

2. an appellate decision has been rendered sustaining this decision.

If you appeal initially on the Civil Service Commission, you cannot appeal to the Department. An appeal to the Department and to the Civil Service Commission may not be pursued concurrently.

Any appeal you wish to make to the Department should be submitted in writing to the Assistant Secretary for Administration. It should set forth, clearly the basis for your appeal and state whether you desire a hearing in connection with your appeal.

In appealing to the Department, you have the right to a full and fair hearing. You may appear in person or through or accompanied by a representative. If you avail yourself of this, the hearing will be held prior to a decision on your appeal. A decision on this appeal would be made only after review of the matter by the Secretary.

If you appeal initially to the Civil Service Commission from this decision, you should address the Appeals Examining Office, U.S. Civil Service Commission, Washington 25, D.C. Such an appeal must be in writing, setting forth your reasons for contesting the removal, with any supporting offers of proof or documents. The appeal to the Civil Service Commission must be submitted no later than 10 calendar days after the effective date of your removal.

In accordance with the President's statement in his recent news conference, I understand that he will review the matter before any final decision.

Any further information about the appeals procedure may be obtained from Mr. John W. Drew, Jr., of my staff, on extension 6251.

Sincerely yours,

JOHN ORDWAY,
Chief, Personnel Operations Division.

POETICAL EULOGIES ON THE LATE PRESIDENT KENNEDY

Mr. PELL. Mr. President, in the past few weeks, I have received many communications from my fellow Rhode Islanders consisting of expressions of grief as a result of our recent national tragedy. The extremely sad circumstances which surrounded the loss of our great President, John Fitzgerald Kennedy, has led many Rhode Islanders to express their thoughts in many different ways. Some desire construction of a suitable memorial, such as the National Cultural Center. Others wish the minting of a coin or the naming of a square in order to commemorate our late President. However, the majority of the citizens who have written to me from my State have expressed their grief in a more personal manner. Along this line, I have received two rather exceptional communications which are symbolic of the thoughts of all Rhode Islanders during this period of national mourning. Therefore, I ask unanimous consent at this time, Mr. President, that two poetical eulogies, which have been written by the Reverend Jessie Koewing Brown and Patrolman Robert E. Taylor, both of the city of Providence, be printed in the RECORD.

There being no objection, the eulogies were ordered to be printed in the RECORD, as follows:

A NATION MOURNS

A Nation sadly mourns; we bow our heads in grief,
As in deaths' cruel cold embrace, lies our beloved Chief.
So truly dedicated he, so dauntless, young, and brave,
Must he forever silent be, in a martyrs' lonely grave?

Ah no, his spirit calls us, we see him through our tears,
He bids us carry on his work, he gently stills our fears;
He says "take up the burden where I had to lay it down,
And together we will fight and win, and gain a victors' crown.

"We must ne'er negotiate through fear, nor fear to negotiate,
Our forefathers' dream of liberty we must perpetuate.
It is a lonely battle, this fighting for world peace,
But trust in God, keep praying, and may your faith increase."

And so the spirit of John Kennedy will lead us in the way
To worldwide peace and understanding, and bring a brighter day;
But the challenge is a great one, we must abolish fears and hates,
And give our all as he did, to these United States.

With grateful hearts o'erflowing we thank Thee Lord for him
Whose faith, intelligence, and love, endeared him to all men:
God rest his stalwart soul in peace, and to his loved ones, God be good,
And in his memory may hands 'round the world, be joined in brotherhood.

—JESSIE KOEWING BROWN.

NOVEMBER 24, 1963.

A TRIBUTE TO JOHN FITZGERALD KENNEDY

Dear God, send forth the inspiration I need
To write poetic words the whole world can read.
Just simple words from my deep, saddened heart
About John F. Kennedy, whom from life did part.

A man so much loved by one and all,
A symbol of peace that stands so tall,
Has now passed on from the living race
To join great men at a far distant place.

Arriving in Dallas with a large motorcade,
T'was a heart broken city in which history was made.
From a building up high the fatal shot came
The assassin we know, without trial, without name.

On his death bed, for life they did fight
Two priests near by gave the last rites.
His final breath gone Jackie reached for his hand,
Placed on his finger her gold wedding band.

A mental picture now comes to mind
Of a Texas boy holding a sign.
It said, "Yankee Go Home," painted in red
A few moments later, John Kennedy lay dead.

He did return home, in Air Force One
A casket of bronze, beneath the bright sun
His wife as always there by his side,
What a stout hearted women he chose for a bride.

I'll say in closing of he who is gone
In our hearts, our minds, he will always live on.
Now dear God, our prayers shall be
For strength and guidance to his bereaved.

—Patrolman ROBERT E. TAYLOR,
Providence Police Department, Providence, R.I.

THE SENATE LEADERSHIP AND THE ACCOMPLISHMENTS OF THE 1ST SESSION OF THE 88TH CONGRESS

Mr. BIBLE. Mr. President, as the 1st session of the 88th Congress draws to an end, I know that we all reflect upon the accomplishments and the disappointments which have transpired. Yet we look to the future—to the second session of this Congress which will convene within less than 20 days. While we have made immeasurable progress, we have unfinished work and so I, for one, do not believe we can evaluate correctly the progress of our Senate body until the final chapter is written.

We have in our distinguished majority leader, Senator MIKE MANSFIELD, one of the most considerate and respected leaders of all times. I want to thank him and pay tribute to his thoughtfulness, his kindness, and his complete understanding of every individual Senator's problems. He has shown the ability to work under demanding pressures—pressures which would tax the patience of Job. Throughout the trying demands of his office, he has maintained a calmness and an open mind, and always demonstrated his responsiveness to his position.

Most, if not all of us, have from time to time sought his counsel. He has been generous in giving us assistance, in lending a sympathetic ear, and doing what he could to be helpful. Our majority leader deserves the commendation of